

SENATE.

TUESDAY, February 6, 1923.

(Legislative day of Monday, February 5, 1923.)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

NAMING A PRESIDING OFFICER.

The Secretary, George A. Sanderson, read the following communication:

UNITED STATES SENATE,
Washington, D. C., February 6, 1923.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. GEORGE H. MOSES, a Senator from the State of New Hampshire, to perform the duties of the Chair this legislative day.

ALBERT B. CUMMINS,
President pro tempore.

Mr. MOSES thereupon took the chair as Presiding Officer.

CALL OF THE ROLL.

Mr. HEFLIN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The reading clerk called the roll, and the following Senators answered to their names:

Ashurst	Gerry	McCumber	Sheppard
Ball	Glass	McKellar	Shortridge
Bayard	Gooding	McLean	Smoot
Borah	Harrel	McNary	Spencer
Brookhart	Harris	Moses	Stanley
Bursum	Harrison	Nelson	Sterling
Cameron	Hefflin	New	Sutherland
Capper	Hitchcock	Nicholson	Swanson
Caraway	Johnson	Norbeck	Townsend
Colt	Jones, N. Mex.	Norris	Trammell
Couzens	Jones, Wash.	Oddie	Underwood
Culberson	Kendrick	Overman	Wadsworth
Curtis	Keyes	Page	Walsh, Mass.
Dial	King	Pepper	Walsh, Mont.
Dillingham	Ladd	Philpotts	Warren
Ernst	Lenroot	Pomeroy	Watson
Fletcher	Lodge	Ransdell	Willis
George	McCormick	Robinson	

Mr. BROOKHART. I wish to announce that the Senator from Wisconsin [Mr. LA FOLLETTE] is absent on business of the Senate.

The PRESIDING OFFICER. Seventy-one Senators having answered to their names, a quorum is present.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. Overhul, its enrolling clerk, announced that the House had passed without amendment the following bills and joint resolutions of the Senate:

S. 1016. An act to amend an act entitled "An act to repeal section 3480 of the Revised Statutes of the United States";

S. 1926. An act to extend the provisions of the act of February 8, 1887, as amended, to lands purchased for Indians;

S. 3702. An act providing for the acquirement by the United States of privately owned lands situated within certain townships in the Lincoln National Forest, in the State of New Mexico, by exchanging therefor lands on the public domain also within such State;

S. 4169. An act granting the consent of Congress to the city of Aurora, Kane County, Ill., a municipal corporation, to construct, maintain, and operate a bridge across the Fox River;

S. 4260. An act to extend the time for the construction of a bridge over the Columbia River between the States of Oregon and Washington, at a point approximately 5 miles upstream from Dalles City, Wasco County, in the State of Oregon;

S. 4288. An act to grant the consent of Congress for the special commission constituted by an act of the Legislature of Massachusetts to construct a bridge across the Merrimack River;

S. 4346. An act granting the consent of Congress to the Delaware State Highway Department to construct a bridge across the Nanticoke River;

S. 4353. An act granting the consent of Congress to the highway commissioner of the town of Elgin, Kane County, Ill., to construct, maintain, and operate a bridge across the Fox River;

S. 4439. An act to revive and to reenact an act entitled "An act granting the consent of Congress for the construction of a bridge and approaches thereto across the Arkansas River between the cities of Little Rock and Argenta," approved October 6, 1917;

S. J. Res. 226. Joint resolution authorizing the acceptance of title to certain land within the Shasta National Forest, Calif.; and

S. J. Res. 259. Joint resolution authorizing the President to abrogate the international agreement embodied in certain Executive orders relating to the Panama Canal.

The message also announced that the House had passed the following bill and joint resolution of the Senate, each with an amendment, in which it requested the concurrence of the Senate:

S. 1878. An act to permit the State of Montana to exchange cut-over timberlands granted for educational purposes for other lands of like character and approximate value; and

S. J. Res. 248. Joint resolution to provide for the payment of salaries of Senators appointed to fill vacancies, and for other purposes.

The message further announced that the House had passed the following bills of the Senate, each with amendments, in which it requested the concurrence of the Senate:

S. 4029. An act amendatory of and supplemental to an act entitled "An act to incorporate the Texas Pacific Railroad Co., and to aid in the construction of its road, and for other purposes," approved March 3, 1871, and acts supplementary thereto, approved, respectively, May 2, 1872, March 3, 1873, and June 22, 1874; and

S. 4341. An act granting the consent of Congress to the Oregon-Washington Bridge Co. and its successors to construct a toll bridge across the Columbia River at or near the city of Hood River, Oreg.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 6423. An act to detach Pecos County, in the State of Texas, from the Del Rio division of the western judicial district of Texas and attach same to the El Paso division of the western judicial district of said State;

H. R. 7103. An act to establish the standard of weights and measures for the following wheat-mill and corn-mill products, namely, flours, hominy, grits, and meals, and all commercial feeding stuffs, and for other purposes;

H. R. 9049. An act declaring the act of September 19, 1890 (26 Stats., ch. 907, sec. 7), and the act of March 3, 1899 (30 Stats., ch. 425, sec. 9), and all acts amendatory of either thereof, shall not hereafter apply to a portion of the west arm of the south fork of the South Branch of the Chicago River, and for other purposes;

H. R. 12007. An act providing for the conveyance of certain land to the city of Boise, Idaho, and from the city of Boise, Idaho, to the United States;

H. R. 13046. An act authorizing the Secretary of the Treasury to convey to the city of Wilmington, N. C., marine hospital reservation;

H. R. 13571. An act to amend section 71 of the Judicial Code, as amended;

H. R. 13760. An act to amend an act entitled "An act to authorize the construction of drawless bridges across a certain portion of the Charles River, in the State of Massachusetts," approved November 14, 1921; and

H. R. 13808. An act granting the consent of Congress to the commissioners of Venango County, their successors and assigns, to construct a bridge across the Allegheny River, in the State of Pennsylvania.

The message further announced that the House had adopted the concurrent resolution (S. Con. Res. 36) providing for the appointment of a committee of Congress to meet at Savannah, Ga., the last contingent of American troops returning from Germany on the *St. Mihiel*, and that pursuant to said concurrent resolution the Speaker of the House had appointed Mr. JOHNSON of S. Dak., Mr. REECE, Mr. LINEBERGER, Mr. CONNALLY of Texas, and Mr. BULWINKLE as members of the committee on the part of the House.

PETITIONS AND MEMORIALS.

Mr. WILLIS presented the memorial of J. P. Wallace and 58 other citizens of Cincinnati, Ohio, remonstrating against the passage of legislation providing for compulsory Sunday observance in the District of Columbia, which was referred to the Committee on the District of Columbia.

Mr. MCKELLAR presented a memorial of sundry citizens of Memphis, Tenn., remonstrating against the passage of legislation making Sunday performances of theatricals and motion picture shows illegal, which was referred to the Committee on the District of Columbia.

Mr. POINDEXTER presented resolutions adopted by a mass meeting held at the First Presbyterian Church of Spokane, Wash., favoring economic pressure by the United States for the relief of Armenia and the Armenians, which were referred to the Committee on Foreign Relations.

Mr. SMOOT presented the following memorial of the Governor and Legislature of the State of Utah, which was referred to the Committee on Finance:

STATE OF UTAH,
EXECUTIVE DEPARTMENT,
Secretary of State's Office.

I, H. E. CROCKETT, secretary of state of the State of Utah, do hereby certify that the attached is a full, true, and correct copy of senate concurrent memorial No. 2 as appears on file in my office.

In witness whereof I have hereunto set my hand and affixed the great seal of the State of Utah this 31st day of January, 1923.

[SEAL.]

H. E. CROCKETT,
Secretary of State.

Petitioning the Congress of the United States to assist the silver-mining industry.

To the Senate and House of Representatives of the United States in Congress assembled:

Your memorialists, the Governor and Legislature of the State of Utah, respectfully represent that—

"Whereas the production of silver is an important industry of the United States, and affords employment directly to many thousands of persons and indirectly to thousands of others; and

"Whereas on account of its association with other metals, especially lead and zinc, in ores, and inadequate price for silver increases the cost of production of lead and zinc, and thereby adds to the cost of materials essential to many constructive activities; and

"Whereas it is also desirable to maintain silver-mining operations in the United States, so as to meet the coinage requirements of various countries in which commerce and industry are in process of rehabilitation and can not be fully reestablished without additional supplies of metallic money; and

"Whereas the prospective early completion of silver repurchases under the provisions of the Pittman Act is liable to disrupt the silver-mining industry of the United States and in part suspend silver production unless measures be taken to preserve the industry;

"Now, therefore, the Governor and Legislature of the State of Utah respectfully petition the Congress of the United States to give sympathetic and early consideration to this phase of the silver-mining industry and enact such legislation as may be necessary in the premises."

The foregoing memorial was publicly read by title and immediately thereafter signed by the president of the senate, in the presence of the house over which he presides, and the fact of such signing duly entered upon the journal this 30th day of January, 1923.

THOMAS E. MCKAY,
President of the Senate.

Attest:

H. L. CUMMINGS,
Secretary of Senate.

The foregoing memorial was publicly read by title and immediately thereafter signed by the speaker of the house, in the presence of the house over which he presides, and the fact of such signing duly entered upon the journal this 30th day of January, 1923.

WM. W. SEEGMILLER,
Speaker of the House.

Attest:

E. L. CROPPER,
Chief Clerk of House.

Received from the senate this 30th day of January, 1923. Approved January 30, 1923.

CHAS. R. MABEY, Governor.

Received from the governor and filed in the office of the secretary of state this 30th day of January, 1923.

H. E. CROCKETT, Secretary of State.

Mr. BROOKHART presented the following concurrent resolution of the Legislature of Iowa, which was referred to the Committee on Banking and Currency:

Concurrent resolution.

Whereas many million dollars of farm loans in Iowa are coming due March 1, 1923, and a large number of Iowa farmers are desirous of availing themselves of the opportunities offered in the amendment, now before Congress, to the farm loan act;

Be it resolved by the house (the senate concurring), That the Iowa delegation in Congress be requested to use all honorable means in securing the adoption of this Federal farm loan amendment at the earliest possible date.

J. H. ANDERSON,
Speaker of the House.
JOHN HAMMILL,
President of the Senate.

Introduced January 10, 1923. Adopted January 16, 1923. Messaged to Senate January 17. Adopted January 18, 1923.

A. C. GUSTAFSON,
Clerk of the House.

Mr. BROOKHART presented the following concurrent resolution of the Legislature of Iowa, which was referred to the Committee on Interstate Commerce:

Concurrent resolution.

Be it resolved by the senate (the house concurring), That—

Whereas it is impracticable for the Interstate Commerce Commission to attempt to supervise the distribution of cars as between individual shippers throughout the United States; and

Whereas there should be some governmental authority within reasonable reach to which appeal can be made to require equitable distribution of cars without regard to whether the same are to be used for shipments interstate or intrastate: Therefore be it

Resolved, That we respectfully urge upon Congress the amendment of the interstate commerce act in such way that the regulatory authorities of the States may make reasonable orders and regulations not in conflict with Federal law, or with lawful orders of the Interstate Commerce Commission, requiring cars within the respective borders of such States to be equitably distributed to shippers desiring the same, without regard to whether they are desired for use in shipments that are interstate or intrastate.

We urge upon Congress the repeal of section 15a of the interstate commerce act as amended by the Esch-Cummins Act and the making of such other amendments thereto as shall clearly limit and define the power as exists between the Interstate Commerce Commission and State commissions, that there may be no misunderstanding that the

State commissions definitely have the same authority over rates as existed before the enactment of the transportation act.

Resolved, That a copy of this resolution be mailed to each United States Senator and each Member of Congress from Iowa.

JOHN HAMMILL,
President of the Senate.
L. W. AINSWORTH,
Secretary of the Senate.
J. H. ANDERSON,
Speaker of the House.
A. C. GUSTAFSON,
Chief Clerk of the House.

Mr. BROOKHART presented the following concurrent resolution of the Legislature of Iowa, which was referred to the Committee on Interstate Commerce:

Concurrent resolution.

Be it resolved by the house (the senate concurring), That—

"Whereas, by section 19a of the interstate commerce act, providing for the valuation by the Interstate Commerce Commission of the properties of common carriers, it is provided that 'such investigation shall show the value of its property in each of the several States and Territories and the District of Columbia, classified and in detail as herein required'; and

"Whereas the commission in its valuation reports thus far made has shown the values of properties covered by such reports in each case as a whole only, and has failed to show the values thereof 'in each of the several States and Territories and the District of Columbia'; and

"Whereas the Bureau of Valuation of said commission has recommended to the commission that it request Congress to relieve it from showing the values of said properties by States; and

"Whereas it is desirable for various uses and purposes that such valuation shall be shown separately by States, as aforesaid:

Resolved, That the Fortieth General Assembly of the State of Iowa, now in session, expresses its view that the Interstate Commerce Commission should show as to each interstate carrier the value of its property in each of the several States in which said property exists, and that no change in the law to sanction failure to make such showing ought to be sought or made; and be it further

Resolved, That a copy of this resolution be mailed to each United States Senator and each Member of Congress from Iowa."

J. H. ANDERSON,
Speaker of the House.
JOHN HAMMILL,
President of the Senate.
A. C. GUSTAFSON,
Clerk of the House.

Introduced January 17, 1923; rules suspended, adopted; messaged to senate January 17; substituted for senate resolution; adopted by senate January 18, 1923.

Mr. NORBECK presented the following concurrent resolution of the Legislature of South Dakota, which was referred to the Committee on Commerce:

A concurrent resolution memorializing Congress and our Senators and Representatives in Congress to amend section 2 of House Resolution 8744, approved December 21, 1921, and enact in lieu thereof an act to require the completion of a steel bridge at Chamberlain, S. Dak., as required by act of Congress approved April 28, 1916, said bridge to be completed during the year 1923.

Whereas by an act of Congress dated April 28, 1916, the Chicago, Milwaukee & St. Paul Railway Co. was authorized to construct a steel bridge across the Missouri River at Chamberlain, S. Dak., and permission granted to continue the use of a pontoon bridge for the transportation of freight and passengers across said river until the completion of said steel bridge; and

Whereas the right to construct said bridge was extended by act of Congress approved February 25, 1919, and by a further act of Congress approved December 21, 1921, which last-named act extends the time for the completion of said bridge to April 28, 1925; and

Whereas said Chicago, Milwaukee & St. Paul Railway Co. began the construction of and completed a portion of said bridge in the year 1918, but has wholly failed to do anything toward the completion thereof since the early part of 1919; and

Whereas the use of said pontoon bridge is believed to endanger the lives of the employees of said railroad operating trains thereon and the lives of the traveling public; and

Whereas serious and costly accidents and delays in transportation have already occurred, to wit:

First. That on or about June 21, 1922, while a gravel train was crossing said bridge, the pontoon used as a draw upset and caused the engine and several cars to be thrown into the Missouri River, together with the engineer, who was seriously injured.

Second. That during the spring of the year when the ice is going out and during the June rise and in the fall of the year, and when the ice is forming or floating in said river, it is impossible to operate the draw in said bridge, and by reason of that fact all passenger, mail, freight, and express traffic to points west of the Missouri River is greatly delayed, especially when said bridge is out or draw open, and the development of the country deterred, and the business interests of the people located between Chamberlain and Rapid City, S. Dak., jeopardized: Therefore be it

Resolved by the Senate of the State of South Dakota (the House of Representatives concurring), That the Congress of the United States and our Senators and Representatives in Congress be, and they are hereby, urged to use all honorable means at their command to secure an amendment to section 2 of House Resolution 8744, which shall require the completion of said bridge not later than during the year 1923; and be it further

Resolved, That engrossed copies of this preamble and resolution be prepared by the secretary of the senate, signed by the presiding officers of the senate and house of representatives and forwarded to the Congress of the United States and to our Senators and Representatives in Congress and to the Secretary of War.

CARL GUNDERSON,
President of the Senate.
A. B. BLAKE,
Secretary.
E. O. FRESKOLN,
Speaker of the House.
WRIGHT TARBELL,
Chief Clerk.

Mr. NORBECK presented the following concurrent resolution of the Legislature of South Dakota, which was referred to the Committee on Agriculture and Forestry:

A concurrent resolution requesting and demanding modification and revision of the present Federal standards for grading grain.

Be it resolved by the Senate of the State of South Dakota (the House of Representatives concurring): That the Bureau of Markets of the United States Department of Agriculture in the spring of 1917 promulgated certain standards for grading wheat which revolutionized the system of grain inspection to such an extent that the markets were seriously disturbed and confused and the Federal rules were found unsatisfactory in commercial transactions, and as subsequent attempts by the said Bureau of Markets to amend the original standards and inspection rules have not removed the features objectionable to the wheat producers of South Dakota and the rural shippers of grain, with the result that the present standards are regarded by the farmers of the Northwest as unfair and unreasonable; and

Whereas the grades so established do not meet with the approval of the grain growers and shippers of this State and are believed to confer an undue advantage to the buyers, with a consequent discrimination against the farmers, thereby causing heavy losses every year; and

Whereas the States of Minnesota, South Dakota, North Dakota, Montana, Idaho, and Washington, at a meeting held in Helena, Mont., March 16, 1918, by Federal resolution proposed standards for grading spring wheat which were declared to be fair to all interests directly concerned; and

Whereas the South Dakota Farm Bureau Federation, the South Dakota Farmers' Grain Dealers' Association, and other farm and grain organizations repeatedly have declared in favor of substantial modification of the Federal standards so that grain may be tested and graded in accordance with its milling value, and representatives of the States of the Northwest having appeared before the Federal Department of Agriculture and the Committee on Agriculture of both Houses of Congress advocating and urging action favorable to the requests and needs of the farmers of South Dakota; and

Whereas the legislators of Minnesota and North Dakota directed the promulgation of State grades for use in the inspection of grain produced and marketed within those States, the purposes of such legislation being to give the wheat producers of those States all the benefit possible from the application of State rules and regulations, but this plan was found not feasible because of conflict with the Federal rules and laws; and

Whereas the Millers' National Federation has opposed the efforts of the farmers of the State to obtain a modification and revision of the Federal grain standards; and

Whereas HALVOR STEENERSON, Congressman from the ninth district of Minnesota, has introduced a bill in Congress to establish standards for the grading of spring wheat, which, if adopted, will virtually recognize the milling value of wheat and place the producers and the buyers on an equal footing in the grain markets of the country: Therefore be it

Resolved by the Legislature of the State of South Dakota, That it hereby, in behalf of the people of South Dakota, requests and demands that the Federal authorities, either in Congress or in the Department of Agriculture, do so modify, revise, or amend the present Federal standards for grading spring wheat as to comply with the requests of the farmers of South Dakota and the Northwest, and thereby remove the present discriminations and penalties in order to promote the prosperity and welfare of the agricultural interests of South Dakota and the Northwest; be it further

Resolved, That we approve the aforesaid Steenerson grain grading bill, and urge its immediate passage by Congress; be it further

Resolved, That copies of these resolutions be forwarded to the President of the United States, the Secretary of Agriculture, to both Houses of Congress, and to the individual Members of the South Dakota delegation in Congress.

CARL GUNDERSON,
President of the Senate.
A. B. BLAKE,
Secretary of the Senate.
E. O. FRESCOLN,
Speaker of the House.
WRIGHT TARBELL,
Chief Clerk of the House.

Mr. NORBECK presented the following concurrent resolution of the Legislature of South Dakota, which was referred to the Committee on Interstate Commerce:

A concurrent resolution requesting and demanding modification and reduction of the present freight rates for grain and live stock.

Whereas the present freight rates for shipment of grain and live stock by the railroads are excessive and of such a nature as to render the prices received by producers of such commodities less than the cost of production; and

Whereas several efforts have been made by the railroad commissioners of the State of South Dakota to secure reductions that are necessary for the preservation of the great industry of agriculture in the State of South Dakota; and

Whereas the rates now in force are approximately 20 per cent higher than the rates in force prior to 1918; and

Whereas the prices of farm products to the producer in this State are approximately 20 per cent lower than the average prices received by such producers for such commodities during the 10-year period just preceding the year 1918: Be it

Resolved by the Senate of the State of South Dakota (the House of Representatives concurring): That it hereby, in behalf of the people of the State of South Dakota, requests and demands that the Congress of the United States, by appropriate legislation or otherwise, and the Interstate Commerce Commission and all other bodies of the Federal Government having in their power or discretion to modify, reduce, revise, or amend the present freight rates, perform such duties as to comply with the requests of the farmers of the State of South Dakota and the Northwest, and thereby remove this menace to the prosperity and welfare of the agricultural interests of South Dakota and the Northwest; and be it further

Resolved, That copies of these resolutions be prepared by the secretary of state and forwarded to our Representatives and Senators in Congress, to the Secretary of the Senate, and the Chief Clerk of the

House of Representatives of the United States, to the Interstate Commerce Commission, and to His Excellency the President of the United States, Warren G. Harding.

CARL GUNDERSON,
President of the Senate.
A. B. BLAKE,
Secretary of the Senate.
E. O. FRESCOLN,
Speaker of the House of Representatives.
WRIGHT TARBELL,
Chief Clerk of the House of Representatives.

Mr. NORBECK presented the following concurrent resolution of the Legislature of South Dakota, which was referred to the Committee on Banking and Currency:

A concurrent resolution memorializing Congress to give immediate and careful consideration to Senate bill No. 4130.

Be it resolved by the Senate of the State of South Dakota (the House of Representatives concurring):

Whereas a bill raising the limit on Federal farm loans from \$10,000 to \$25,000 has been introduced in Congress and which is now in the Committee on Banking and Currency: Therefore

We urge our delegation in Congress to do their utmost to secure speedy and favorable action by the committee and thereafter its prompt passage by Congress, so that it may become the law before March 1, 1923, at which time there are many Federal farm loans to be closed exceeding \$10,000 in amount.

That the passage of this bill will not in any manner impair the operation nor the credit of the Federal land bank, but will result in extending its scope of usefulness so that a larger number of borrowers can be reached.

That all loans are made on the basis of the security offered, and borrowers of large amounts often offer the best security, owing to their executive ability and industry in the management of farm operation.

That the Federal land bank is seriously hampered in its operation owing to the \$10,000 limit; be it further

Resolved, That engrossed copies of this resolution be prepared by the secretary of state, signed by the presiding officers of the senate and the house of representatives, and forward one copy each to Senators NORBECK and STERLING and Congressmen CHRISTOPHERSON, JOHNSON, and WILLIAMSON, to the Secretary of the Senate and the Chief Clerk of the House of Representatives of the United States, and to His Excellency the President of the United States, Warren G. Harding.

CARL GUNDERSON,
President of the Senate.
A. B. BLAKE,
Secretary of the Senate.
E. O. FRESCOLN,
Speaker of the House of Representatives.
WRIGHT TARBELL,
Chief Clerk of the House of Representatives.

ELLEN M. STONE RANSOM FUND.

Mr. LODGE. I report back favorably, without amendment, from the Committee on Foreign Relations, the bill (S. 543) for the relief of contributors of the Ellen M. Stone ransom fund. A similar bill was elaborately reported on by the Senator from Ohio [Mr. POMERENE] and has passed the Senate several times. I ask for its present consideration. I think there will be no objection to it.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to return, out of any funds in the Treasury not otherwise appropriated, to such contributors, or, in the event of the death of any such contributor, to the legal representative thereof, as may file their claims within one year from the passage of this act, the money subscribed by such contributor to pay the ransom for the release of Miss Ellen M. Stone, an American missionary to Turkey, who was abducted by brigands on September 3, 1901, said total sum not to exceed \$66,000.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BILLS INTRODUCED.

Bills were introduced, read the first time, and by unanimous consent the second time, and referred as follows:

By Mr. ROBINSON:

A bill (S. 4486) to amend section 5200 of the Revised Statutes as amended; to the Committee on Banking and Currency.

By Mr. NELSON:

A bill (S. 4487) making section 1535c of the Code of Law for the District of Columbia applicable to the municipal court of the District of Columbia, and for other purposes; to the Committee on the Judiciary.

By Mr. SUTHERLAND:

A bill (S. 4488) granting a pension to A. M. Nestor (with accompanying papers); to the Committee on Pensions.

By Mr. POINDEXTER:

A bill (S. 4489) for the relief of Roy A. Darling; and
A bill (S. 4490) for the relief of Charles D. Baylis, first lieutenant, United States Marine Corps (with accompanying papers); to the Committee on Naval Affairs.

DISTRICT STREET-RAILWAY FARES.

Mr. McKELLAR submitted an amendment intended to be proposed by him to the bill (S. 2589) to amend section 11 of the act entitled "An act for the retirement of public school-teach-

ers in the District of Columbia," approved January 15, 1920, which was ordered to lie on the table and to be printed.

He also submitted an amendment intended to be proposed by him to the bill (S. 3252) to amend paragraph 8 of the act entitled "An act relating to the metropolitan police of the District of Columbia," approved February 28, 1901, as amended, which was ordered to lie on the table and to be printed.

He also submitted an amendment intended to be proposed by him to the bill (S. 4012) to control the possession, sale, and use of pistols and revolvers in the District of Columbia, to provide penalties, and for other purposes, which was ordered to lie on the table and to be printed.

He also submitted an amendment intended to be proposed by him to the bill (S. 4283) to authorize the Commissioners of the District of Columbia to require operators of motor vehicles in the District of Columbia to secure a permit, and for other purposes, which was referred to the Committee on the District of Columbia and ordered to be printed.

He also submitted an amendment intended to be proposed by him to the joint resolution (S. J. Res. 266) authorizing the use of public parks, reservations, and other public spaces in the District of Columbia; and the use of tents, cots, hospital appliances, flags, and other decorations, property of the United States, by the Almas Temple, Washington, D. C., 1923 Shrine Committee (Inc.), and for other purposes, which was ordered to lie on the table and to be printed.

HOUSE BILLS REFERRED.

The following bills were severally read twice by title and referred as indicated below:

H. R. 7103. An act to establish the standard of weights and measures for the following wheat-mill and corn-mill products, namely, flours, hominy, grits, and meals, and all commercial feeding stuffs, and for other purposes; to the Committee on Agriculture and Forestry.

H. R. 6423. An act to detach Pecos County, in the State of Texas, from the Del Rio division of the western judicial district of Texas and attach same to the El Paso division of the western judicial district of said State; and

H. R. 13571. An act to amend section 71 of the Judicial Code, as amended; to the Committee on the Judiciary.

H. R. 12007. An act providing for the conveyance of certain land to the city of Boise, Idaho, and from the city of Boise, Idaho, to the United States; and

H. R. 13046. An act authorizing the Secretary of the Treasury to convey to the city of Wilmington, N. C., marine-hospital reservation; to the Committee on Public Buildings and Grounds.

H. R. 9049. An act declaring the act of September 19, 1890 (26 Stat., ch. 907, sec. 7), and the act of March 3, 1899 (30 Stat., ch. 425, sec. 9), and all acts amendatory of either thereof shall not hereafter apply to a portion of the west arm of the south fork of the South Branch of the Chicago River, and for other purposes;

H. R. 13760. An act to amend an act entitled "An act to authorize the construction of drawless bridge across a certain portion of the Charles River, in the State of Massachusetts," approved November 14, 1921; and

H. R. 13808. An act granting the consent of Congress to the commissioners of Venango County, their successors and assigns, to construct a bridge across the Allegheny River, in the State of Pennsylvania; to the Committee on Commerce.

SALARIES OF SENATORS.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the joint resolution (S. J. Res. 248) to provide for the payment of salaries of Senators appointed to fill vacancies, and for other purposes, which was in line 7, after the word "qualify," to insert a colon and the following proviso:

Provided, That where no appointments have been made to fill such vacancies, the salaries of Senators elected to fill such vacancies shall commence on the day following their election.

Mr. SPENCER. Mr. President, the Senate passed this joint resolution to correct a little difficulty we had some time ago providing that the compensation of appointed Senators should run until their successors who were elected qualified. The House has passed it, but added a very wise amendment.

It might happen that a Senator died in the last of September and there would be no appointment, as the governor would wait, that at the election in November the vacancy might be filled. In that case, when the Senator was elected in November, there having been no appointment made, of course his salary ought to commence from the day of election rather than from the day of qualification. The amendment of the House cures that omission in our joint resolution, and I move that the Senate concur in the amendment.

The motion was agreed to.

EXCHANGE OF LANDS IN MONTANA.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 1878) to permit the State of Montana to exchange cut-over timberlands granted for educational purposes for other lands of like character and approximate value.

The amendment of the House was, on page 1, line 9, after the word "ship," to insert "which exchanged land shall be subject to the same requirements and limitations."

Mr. WALSH of Montana. I move that the Senate concur in the House amendment.

The motion was agreed to.

TEXAS PACIFIC RAILROAD CO.

The VICE PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill from the Senate (S. 4029) amendatory of and supplemental to an act entitled "An act to incorporate the Texas Pacific Railroad Co., and to aid in the construction of its road, and for other purposes," approved March 3, 1871, and acts supplemental thereto, approved, respectively, May 2, 1872, March 3, 1873, and June 22, 1874, which were, on page 2, line 11, to strike out "but not in excess of \$85,000,"; on page 3, line 17, to strike out "as far as applicable"; on page 4, line 8, after "State," to insert: "Provided, That no civil suit in tort brought against said railway company in the State courts of Louisiana or Arkansas may be removed by said railway company to any court of the United States on account of diverse citizenship."

And to amend the title so as to read: "An act to amend and supplement the act entitled 'An act to incorporate the Texas & Pacific Railroad Co., and to aid in the construction of its road, and for other purposes,' approved March 3, 1871, and acts supplemental thereto, approved, respectively, May 2, 1872, March 3, 1873, and June 22, 1874."

Mr. SHEPPARD. I move that the Senate concur in the House amendments.

The motion was agreed to.

COLUMBIA RIVER BRIDGE NEAR CITY OF HOOD RIVER, OREG.

The VICE PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 4341) granting the consent of Congress to the Oregon-Washington Bridge Co. and its successors to construct a toll bridge across the Columbia River at or near the city of Hood River, Oreg., which were on page 1, line 6, to strike out "toll," and to amend the title so as to read: "An act granting the consent of Congress to the Oregon-Washington Bridge Co. and its successors to construct a bridge across the Columbia River at or near the city of Hood River, Oreg."

Mr. JONES of Washington. Mr. President, under the act of 1906, providing the general conditions under which bridges may be built across navigable streams, toll charges are permitted, but they are subject, of course, to the control of the Secretary of War. Therefore I move that the Senate concur in the House amendments to the bill.

The motion was agreed to.

RETURN OF AMERICAN TROOPS FROM GERMANY.

The VICE PRESIDENT. Pursuant to Senate Concurrent Resolution 36, providing for the appointment of a committee of Congress to meet at Savannah, Ga., the last contingent of American troops returning from Germany on the *St. Mihiel*, the Chair appoints the following Senators as members of the committee on the part of the Senate: Mr. WADSWORTH, Mr. WARREN, Mr. REED of Pennsylvania, Mr. HARRIS, and Mr. ROBINSON.

WAR DEPARTMENT APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 13793) making appropriations for military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1924, and for other purposes.

The PRESIDING OFFICER (Mr. MOSES). The Secretary will report the first of the committee amendments passed over.

The READING CLERK. On page 21 the committee proposes to strike out lines 22, 23, 24, and 25, and on page 22 lines 1 and 2, in the following words:

None of the funds appropriated in this act shall be used for payment of any officer of the Army on the active or retired list while such officer is engaged in the business of selling supplies or services to the United States, or is employed by any individual, partnership, or corporation which engages in such business.

The amendment was agreed to.

The PRESIDING OFFICER. The Secretary will report the next of the amendments passed over.

The READING CLERK. The next amendment passed over was, on page 106, line 15, to reduce the appropriation for examinations, surveys, and contingencies for rivers and harbors for

which there may be no special appropriation from "\$456,850" to "\$406,850."

The amendment was agreed to.

The next amendment passed over was, on page 106, line 17, after the word "law," to insert "or for investigations covering types of boats," so as to make the proviso read:

Provided, That no part of this sum shall be expended for any preliminary examination, survey, project, or estimate not authorized by law or for investigations concerning types of boats.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is as in Committee of the Whole and open to amendment.

Mr. McCUMBER. Mr. President, I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The Secretary will report the amendment.

The READING CLERK. On page 106, at the end of line 12, insert the following proviso:

Provided, That \$250,000 of this appropriation, or so much thereof as may be necessary, shall be expended between Sioux City, Iowa, and Fort Benton, Mont., for the removal of obstructions, the revetment of shores where the same may be necessary, and for the maintenance of the channel to landing places and at points where the railroads intersect the Missouri River, said last-mentioned sum to be immediately available.

Mr. KING. Mr. President, a parliamentary inquiry. The amendment has to do with the figures found in line 12?

The PRESIDING OFFICER. It has.

Mr. KING. Then I move the following amendment, though I am not sure whether it is germane or not. I move to strike out the figures "\$56,589,910" and to insert in lieu thereof—

The PRESIDING OFFICER. The Chair will state to the Senator from Utah that his amendment is not in order at this time. The question is on agreeing to the amendment offered by the Senator from North Dakota.

Mr. McNARY. May I inquire what is the pending amendment?

The PRESIDING OFFICER. The amendment offered by the Senator from North Dakota [Mr. McCUMBER], which has been once reported. The Secretary, however, will read the amendment again for the information of the Senate.

The reading clerk again read Mr. McCUMBER's amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from North Dakota.

Mr. WADSWORTH. Mr. President, this is an endeavor to provide by act of Congress that a certain portion of the \$56,000,000 appropriation shall be spent on a certain project. The amendment provides, in effect, that \$250,000 of the \$56,000,000 shall be spent at that particular place named. It is a grave question in my mind whether this is a good policy, in view of the action of the Congress during the last four or five years by which river and harbor appropriations have been made in a lump sum, and the Engineer Corps, under the direction of the Secretary of War and the President, have determined how that lump sum shall be spent on the various approved projects. If we are going to commence to single out certain projects and mention them in connection with the lump sum to be appropriated, it would only be fair that amendments should be offered for practically every separate project that has been approved by the Congress in the past.

I am not certain, Mr. President, whether this amendment is in order or not. Of course, the sum of \$250,000 is not estimated for that project, nor has this specific appropriation been reported from a standing committee. On the other hand, it may be said that the \$250,000 is not an increase of the appropriation, because it is to be taken out of the general appropriation.

The PRESIDING OFFICER. The Chair is of the opinion that the amendment is in the nature of a limitation upon the expenditure of the appropriation, and is therefore in order.

Mr. WADSWORTH. That the appropriation is in the nature of a limitation?

The PRESIDING OFFICER. Yes.

Mr. WADSWORTH. I notice that it does not say "that not more than \$250,000 shall be spent." That would be a limitation, as I understand the meaning of the word "limitation."

The PRESIDING OFFICER. Nevertheless, the Chair is of the opinion that the amendment is in order.

Mr. McCUMBER. Mr. President, this is a most important amendment in the sense that the money which is to be appropriated is to be used on the Missouri River for the purpose of navigation. I have assumed all the time that in framing bills proposing to appropriate money for rivers and harbors such appropriations were intended to promote navigation. I think for about 50 years some engineers have been stationed at Kansas City, Mo.; their homes are at that place. They have spent their time in making recommendations and in digging out one year a channel which fills up the next year; so that during all

of this time we have got nothing whatever, as I understand the situation, to show that the millions upon millions of dollars which have been appropriated and which have gone into the Missouri project have been used for the advantage of any navigation upon the Missouri River.

The only navigation, Mr. President, upon the Missouri River is on the upper Missouri or that portion of the Missouri between Sioux City, Iowa, and Fort Benton, Mont. There have been small boats plying between those two points for a great many years. A number of our transcontinental railway lines, including the Great Northern, the Soo, the Northern Pacific, the Milwaukee, and one or two other important railroad lines, all cross the Missouri River north of those points. Some coal, hay, wheat, and other grain are brought from warehouses along the river to the intersection with the railroads; so that the transportation of those commodities over the railroads is but a continuation of their transportation over the water. This kind of transportation has been carried on during all of these hard years. South of Sioux City, however, where there have been spent millions and hundreds of millions of dollars, there has not a single boat been in operation for the purpose of carrying any kind of commerce. The only commerce which is carried on the river in the vicinity of Kansas City is a small quantity of sand dug out of the river, loaded into barges, and used for building purposes. There is no real commerce south of Sioux City.

Mr. WILLIS. Mr. President—

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Ohio?

Mr. McCUMBER. I yield.

Mr. WILLIS. Can the Senator inform the Senate as to whether or not this specific project has been authorized by law? I have not had time to look it up.

Mr. McCUMBER. No particular project has been authorized. The estimate made by the Budget Bureau upon the recommendation of the engineers has been that about \$15,000 could be properly used along that entire stretch of the Missouri River where there is commerce, and that fifty-odd million dollars can be used where there is no commerce, where there is no prospect of any commerce, and never has been any since we started on the project of digging out the sand one year in order to clear the channel, and the next year, because the upper Missouri has not been protected, and consequently the same amount of soil is washed down, doing the entire work over again. I am saying that much in reference to the matter of making the appropriation of any use to us at all.

Mr. McNARY. Mr. President—

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Oregon?

Mr. McCUMBER. I yield.

Mr. McNARY. I desire to ask the Senator from North Dakota if this project is one that has heretofore been authorized by the Congress?

Mr. McCUMBER. I can not say that the particular project has been authorized; but let me say to the Senator, suppose in the year 1922 a point between Bismarck and Williston, for instance, the river begins to cut in on the banks and to change its channel. The necessity for revetment work at that particular point of course is a project that has not been considered; there has been nobody there to consider it. The engineers with their families make excursions up the Missouri River once a year and locate a few snags, go up the next year and blow them out with dynamite, and pay \$15,000 or \$20,000 for running their boats up there for one trip. That is the extent of the work they consider necessary for commerce on the upper Missouri.

Mr. McNARY. Mr. President, let me ask the Senator has the Government ever recognized this project in the appropriation of any money?

Mr. McCUMBER. Yes. The Government has appropriated \$150,000 and sometimes as high, I think, as \$200,000 to be used above Sioux City.

Mr. McNARY. Let me ask the Senator another question. What is the volume of commerce that is carried up and down the stream?

Mr. McCUMBER. I can not give the Senator the volume of the commerce for the last year or two because of the fact that the failure of crops in that section of the country has made the commerce almost nil during that period. I understand, however, there are about four or five boats being run regularly on that section of the Missouri and that they will transport crops alone of about a million bushels of wheat from last year's crop.

Mr. McNARY. Does the Senator from North Dakota believe, the appropriation provided in the bill being in the shape of a

lump sum, that it would prevent the engineers from using a portion of it to do the very work described in his amendment?

Mr. McCUMBER. We have that inquiry and the answer is that they can not use over \$10,000, because of certain estimates that were made to the Budget Bureau. Therefore they are limited in their expenditures on the upper stretches of the Missouri.

Mr. McNARY. Is that the estimate of the Bureau of the Budget or of the engineers?

Mr. McCUMBER. It is the estimate of the Bureau of the Budget, made upon the recommendation of the engineers.

Mr. McNARY. I think the Senator is mistaken as to that. The Director of the Bureau of the Budget estimated an expenditure of \$26,000,000, while this bill carries \$56,000,000.

Mr. McCUMBER. The captain of one of the vessels plying on the upper Missouri applied to the department only two days ago, and he was informed by the engineers that they could not use more than the amount carried in their estimate to the Budget Bureau, and that was \$10,000 or \$15,000.

Mr. KING. Mr. President—

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Utah?

Mr. McCUMBER. I yield.

Mr. KING. In view of the fact that the Budget Bureau recommended approximately \$27,000,000 or \$28,000,000 and the House entirely disregarded the recommendation of the Budget Bureau and the Senate committee also disregarded the recommendation of the Budget Bureau, I rise to inquire of the Senator how he can insist now that the engineers of the Government are bound by any appropriation which Congress may make, unless there be in the appropriation itself words of limitation?

The Budget Bureau made certain recommendations based upon an appropriation of \$28,000,000. That \$28,000,000, under the Budget estimate, I presume, was allocated to the various projects, new and old. If the House disregards those allocations and the aggregate amount of the allocations and gives a sum double the amount recommended by the Budget Bureau, I am not quite clear, and I should be happy to have the learned Senator advise me, how those who are to expend the sum would feel that the allocations set forth by the Budget Bureau constitute any limitation upon them?

Mr. McCUMBER. Mr. President, that question involves another question which I might ask of the Senator from Utah, and that is, who is to determine how much of this appropriation shall be used in any specific section of the Missouri?

Mr. KING. Mr. President, I presume that this appropriation goes to the Board of Engineers, or the Rivers and Harbors Commission, however they may be denominated, and they expend the money as they see fit.

Mr. McCUMBER. All right. Now, suppose the engineers have already reported to the Budget Bureau that they do not need more than ten or fifteen thousand dollars for use above Sioux City, Iowa, on the Missouri, where the only commerce is on the river. What may we expect in the way of expenditure on that section of the Missouri?

Mr. KING. I presume, if the Senator puts it that way, that if the engineers have allocated fifty-seven or fifty-eight millions, the amount that is found in this bill, and have allowed only \$10,000 for the project which the Senator is contending for now, they doubtless would be constrained to follow that recommendation which they had made; but the point I made a moment ago, and I still insist upon it, is this: Technically, the Budget Bureau having absolutely disregarded the recommendations of the engineers—the engineers having recommended approximately \$71,000,000, including certain work upon the Mississippi and the Missouri Rivers—and recommended an appropriation of twenty-seven or twenty-eight million dollars, it would seem to me, unless there were limitations expressed in the bill with respect to the disposition of that twenty-seven or twenty-eight million dollars, that the engineers could dispose of it substantially as they saw fit. I am not sure that they would be bound, technically or legally, by statements which they had made or recommendations which they had submitted to the Budget Bureau.

Mr. McCUMBER. The Senator now is getting right down to the root of the evil of the situation, and that is this: The engineers never have been able to see the value of the use of any sum of money in that stretch of the Missouri where we have river commerce, but they have some kind of a scheme with reference to a great waterway between Kansas City and the Gulf of Mexico, which scheme never has been brought into existence so far in the matter of development, for the reason that the dirt, the sand, the soil, the silt which flows down the Missouri one year is dug out of the channel the next year, and this course has been followed year after year with no appreciable

advantage to the commerce of the United States, while we go begging for a few thousand dollars to protect our shores and protect our landings and pull the snags and rocks out of the channel and keep the channel in its place where the only commerce on the Missouri now exists. It is a case in which the engineers seem to have in view some project for the future which may or may not develop, while those of us who believe that we ought to use some of the money to maintain the commerce that we now have, and to clear the river of obstructions in that section of the country, do not want to be left any longer at the mercy of these engineers, who make an estimate of \$10,000 for use on a stretch of twelve or fourteen hundred miles of the river which is navigated, and fifty-odd millions of dollars on a stretch of the river where there is no navigation.

Mr. WALSH of Montana. Mr. President—

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Montana?

Mr. McCUMBER. I do.

Mr. WALSH of Montana. I think, if the Senator will pardon me, I might clarify the situation a little for the Senator from Utah.

The engineers reported that they could profitably expend, advisably expend, during the year ending June 30, 1924, \$56,590,410, which is substantially the sum appropriated by this bill as it came from the House. The Senator from Utah desires to see that sum reduced. The amendment offered by the Senator from North Dakota contemplates setting apart \$250,000 of this \$60,000,000 for this particular purpose. If the total amount is reduced, as contemplated by the Senator from Utah, I am perfectly certain that the Senator from North Dakota will be quite willing to reduce proportionately the amount which he seeks thus to set aside.

In other words, I am endeavoring to indicate to the Senator from Utah that the subjects which he is discussing have no relevancy to the amendment suggested by the Senator from North Dakota. Included in the \$56,000,000 thus recommended by the engineers are three items. One of them is the Missouri River, from Kansas City to its mouth, \$1,000,000; for improvement, \$500,000. That is a million and a half for the Missouri River, from Kansas City to its mouth. The mouth of the Missouri River is just above St. Louis, according to my recollection, so that \$1,500,000 is to be spent in the State of Missouri between Kansas City and the mouth of the Missouri as it enters the Mississippi; \$25,000 is to be expended on the river from Kansas City to Sioux City; and \$15,000 from Sioux City, 600 miles of river, to Fort Benton, Mont. The Senator from North Dakota is simply inviting attention to the fact that that distribution is eminently unfair, that is all. I am perfectly certain that the Senator will agree, if the amendment which the Senator from Utah proposes to offer should prevail and the amount should be scaled down, that the amount which he asks should be scaled proportionately. In other words, I can see nothing in what the Senator from Utah has to say concerning the aggregate sum that in anywise whatever militates against the amendment now tendered by the Senator from North Dakota.

Mr. STERLING, Mr. WILLIS, and Mr. KING addressed the Chair.

The PRESIDING OFFICER. Does the Senator from North Dakota yield; and if so, to whom?

Mr. McCUMBER. I first yield to the Senator from South Dakota, who addressed me a moment ago.

Mr. STERLING. Mr. President, I just want to correct a statement that I understood the Senator from Montana to make as to the distance from Sioux City to Fort Benton. I understood him to say it was 600 miles. It is a distance of about 1,500 miles from Sioux City to Fort Benton, which is termed the "head of navigation," as I understand; and, according to the report of the engineers, only \$15,000 could be profitably expended for all that distance of 1,500 miles.

Mr. KING. Mr. President, will the Senator yield?

Mr. McCUMBER. I yield to the Senator for a question. Then I want to yield to the Senator from Ohio [Mr. WILLIS].

Mr. KING. It is a little more than a question. It was a brief reference to what has been said—

Mr. McCUMBER. As the Senator from Ohio rose first, will the Senator allow me to yield to him first?

Mr. KING. Certainly.

Mr. WILLIS. Mr. President, I desire to propound an inquiry to the Senator from Montana. What authority of law does the Senator claim there is for this proposed appropriation? When did the Congress by any act authorize an appropriation of funds for this purpose? Can the Senator cite that act?

Mr. WALSH of Montana. Mr. President, appropriations for this purpose have been made regularly for 50 years. It may not be known to the Senator that as early as 1866 there was

between my State and his a continuous line of river transportation. We bought supplies in endless quantities from his State that went down the Ohio River, up the Mississippi, and up the Missouri to Fort Benton. During all of that period appropriations were made for just exactly the purpose which this appropriation is for.

Mr. WILLIS. I am familiar with the commerce to which the Senator refers, but he does not quite respond to my inquiry. This amendment, I believe, contemplates the addition of a new project, where it says:

For the maintenance of the channel to landing places.

The Senator is perfectly familiar with the practice here, that Congress must and does pass an act authorizing appropriations for a certain purpose. If the Senator can refer me to the act in which this project was approved, I should like to have the reference.

Mr. WALSH of Montana. I have given it to the Senator.

Mr. WILLIS. What is it?

Mr. WALSH of Montana. An item for the improvement of the river above Sioux City has been a regular portion of the appropriation every year. Of course, there is no appropriation for taking a snag out of the river where the town line between townships 10 and 11 crosses the Missouri River. There is an appropriation regularly for the improvement of the river above Sioux City, and that is all that is asked here.

Mr. McCUMBER. Mr. President, if the Senator will allow me, I want to state to the Senator from Ohio that several times I have succeeded in having the river and harbor bill amended, and amended substantially in the language that I have employed here, namely, for revetment and for protecting the channel and the approaches of the upper Missouri. There is nothing new in the language that is used. In fact, the language I have used is the same that we have used in other amendments.

Now, I want to call the attention of the Senate to another feature of this bill and this proposed amendment. Since the creation, I presume, the Little Missouri, the Yellowstone River, the Knife River, and other important rivers have been pouring their silt down the Missouri River. Without that there would have been no Louisiana to-day. Louisiana and much of Mississippi and other sections of this country are made from the flow of the soil and the silt from the Missouri and its tributaries. Now, where does this come from? Not from the original source of the Yellowstone; but the moment that it strikes the level country there is somewhere above, I think, 1,500 feet of this silt that is washed down from the mountains, from that up to 1,700 feet, before you get down to a blue clay, and when you get down to the blue clay you are then at an altitude about the same as the bottom of the Gulf of Mexico.

Mr. FLETCHER. Mr. President—

Mr. McCUMBER. The channel first cuts on one side, and then, from some little obstruction or a sand bar, the whole force of the high water is thrown against the bank upon the other side, and not only acres but whole quarter sections of land are tumbled off into the Missouri and washed down the channel until it finally reaches the Gulf of Mexico, or the greater portion of it reaches around about Kansas City, and is then shoveled out of the channel again to make way for the new amount that will come in the next year.

Mr. FLETCHER. Mr. President—

Mr. McCUMBER. If the Senator will just let me finish the thought, how can we prevent this? One way in which we can prevent it, Mr. President, is by the revetment of the shores where the cave-in takes place. That will prevent whole sections of land tumbling into the Missouri, which must be taken out again farther down the Missouri, for which we are appropriating large sums every year.

I have here a photograph of a section of the Missouri River at Bismarck [exhibiting]. If Senators would look at this photograph, which is a picture of a scene above a new bridge which the Government, in connection with the State, has just built, they would find that the shores have been revetted, and they have been for a great many years. The engineers do not see fit generally to make the revetment properly, but when they have joined with the Northern Pacific or other railway in doing it, and when it has been done properly, it has been a success.

It is done in this way: In the wintertime, when the Missouri is frozen over, with sometimes 2 or 3 feet of ice, and when it is at its lowest depth, they put willows on the ice and pile large rocks on them, then more willows and rocks. Then they saw through the ice around this construction, and it sinks, and as the ice melts the whole mass settles down into the silt, the wash

of the spring flood comes in and fills it up with sand, and you have a revetment which stays and prevents the current washing the banks off again.

Let us look at the situation at Bismarck. Tapping the Missouri at this point is the Bismarck Water Co., and the banks there have been revetted. At this point there is the great railway bridge across the Missouri of the Northern Pacific, and a few rods below that is the wagon bridge which has just been built by the Government of the United States.

I would like to call attention to another angle of this photograph, and I will ask the Senator from New York [Mr. WADSWORTH] to glance at it for a moment. If he will look over to the northwest he will find a level piece of land, very low, running about 6 miles by the city of Mandan. All of this is made a part of the bridge project on the recommendation of the Government engineers. The flood is coming down and is cutting across at the point I mentioned. It may be that in a single year it will cut through there and the entire current of the river will run through on this side, and it will be necessary to build a bridge across another Missouri River in order to complete it. A little revetment at this time, not \$10,000 worth, not \$15,000 or \$16,000 worth, but enough to save that one little corner, would be worth millions and millions of dollars to the Government of the United States and to the State in putting the bridge through. But nothing is done. A little appropriation of \$15,000 would amount to nothing. We want to prevent not only the caving in at this section of the river, but we want to protect the Government property in the matter of these roads and bridges which the Government and the State together have builded across the Missouri.

If you go a little farther up the Missouri River you will find other sections which are not low, but are high, where the banks stand up 80 or 100 or 200 or 300 feet above the Missouri River, and the change of the current against those banks undermines them, and acres, aye, hundreds of acres, come tumbling off into the Missouri, to be shoveled up again at Kansas City and taken out of the bed of the stream. Here a great deal can be saved by proper revetting. Let us remember, too, that at this point there are farmers' grain elevators. The moment the current is changed no vessel can get up to a landing, of course, and no vessel getting up to a landing the commerce from that section of the country is cut out entirely. We can prevent that by a little revetting.

The Senator from Florida will pardon me; I now yield to him.

Mr. FLETCHER. Mr. President, I want to call the Senator's attention to the fact that while this project was adopted a good many years ago there have been no appropriations in recent years, I think probably since 1916, certainly not since 1919, for continuing the improvement, for the reason that it is not a problem of navigation so much as it is a question of saving land on the shore. This revetting work, the engineers have held, ought to be done by the people who own the land, rather than have the Government undertake to protect the shores of the Missouri River 1,100 miles in order to prevent the washing away.

Mr. McCUMBER. I notice, however, that the Government has spent millions of dollars to build dikes to keep the Mississippi River in its proper channel and prevent it from overflowing New Orleans and other great cities. If it can spend hundred of millions of dollars for those dikes, the Senator can well answer that the Government should not do it, but that the adjoining landowners ought to pay the expense of the diking. What is the difference whether you build up a dike to prevent the water from overflowing orrevet to prevent the stream from cutting any farther and undermining great sections of the country?

Mr. FLETCHER. I want to call attention to a statement in the hearings made by General Taylor. I read from the hearings:

Mr. STAFFORD. Then, as I understand, the river north of the mouth of the Missouri is navigable if there is a fair supply of water?

General TAYLOR. Yes, sir; the minimum depth throughout the entire stretch at ordinary low water is about 4½ feet.

General Taylor then said:

The project for the Missouri River from Kansas City to the mouth was adopted by the act of 1912 with a view to its completion in 10 years. The estimated cost of the projection at that time was \$20,000,000, so that following out the intent of that law Congress should have given \$2,000,000 a year; there have been very much less sums than that appropriated and we have, consequently, been doing very little work. The project has reached the stage where it either ought to be proceeded with or it ought to be stopped, one or the other.

Mr. STAFFORD. When was the last substantial work done on the project?

General TAYLOR. In 1918, \$1,000,000 was allotted, and in 1919 \$100,000 was appropriated; those were itemized appropriation acts.

We have not had any itemized appropriation act since 1919. Since then we have had a lump-sum appropriation. General Taylor continues:

In 1920, 1921, and 1922 there were lump sums from which the Secretary of War made allotments, and from those acts there have been \$200,000, \$214,000, and \$100,000, respectively, allotted. In other words, for the last three years we have been simply endeavoring to maintain the work which had been previously done in order that it should not be entirely lost. If we are to go ahead with the work we ought to have \$1,500,000 at least, but if we are not to go ahead with it we need less money. The Missouri River runs through a very fertile bottom land; it naturally wanders from one side of the valley to the other, destroying farm lands as it wanders from one side to the other. Recently the farmers along the Missouri River, particularly in the vicinity of Omaha and above and a little below, have realized the inadvisability of waiting for the Government to protect their lands, and they have been forming protection districts under State laws, which they can do, and issuing bonds for the work, assessing the lands for proper contributions and doing the work themselves.

In the last year there has been over \$1,000,000 worth of work done on the Missouri River in that way. The value of the lands protected has been enormously increased by this work; it not only increases the value of the lands but the work holds the river in position. If the farmers all along the Missouri River would do that work and protect their lands as they should, the Government could then step in and do the work necessary to complete the improvements for navigation at comparatively small expense. I say at comparatively small expense; it would run, perhaps, to millions of dollars.

Mr. Sisson. There is a long stretch of river there?

General TAYLOR. Yes; there is. It is 398 miles from Kansas City to the mouth; from Kansas City to Fort Benton, Mont., the head of navigation, it is 1,887 miles. The expense for navigation per mile would be small, but that should properly be done after the people living along the banks have done the work which belongs to them to do.

Mr. STAFFORD. There is no navigation on the river to-day?

General TAYLOR. Above Kansas City there is practically nothing and below Kansas City there is little.

Mr. STAFFORD. Local or through?

General TAYLOR. It is all local at the present time. There was a navigation company organized to carry on through navigation between Kansas City and St. Louis several years ago; those boats were bought by the Government in 1917 and they form a part of the fleet of the Mississippi River-Warrior Transportation Line at the present time.

Mr. STAFFORD. There has been no proposal by the owners of the land along the river banks to revet their banks, through the legislature, the municipalities, or organizations, and have the Government do the work so far as dredging the proper channel is concerned?

General TAYLOR. No, sir; there has been no proposition of that kind from them to us. They have, as I have stated, improved the river banks in many localities.

Mr. STAFFORD. That was done for the purpose of protecting their lands?

General TAYLOR. Yes, sir.

Mr. STAFFORD. Where was this work done of revetting the banks along the Missouri River—between Kansas City and St. Louis?

General TAYLOR. Principally above Kansas City.

So it seems that the main work now necessary to be done is being proceeded with by the people who own the land, and the only appropriation recommended by the engineers is that for maintenance. These items of \$15,000 and \$25,000 and \$15,000 are simply maintenance items, and they are not intended to be used at all for new work. The engineers have said that we must go on with the improvement from Kansas City to the mouth of the river or abandon the whole project, and for that purpose they recommend \$1,000,000 for improvement and \$500,000 for maintenance for that stretch of the river. In the meantime, the real work to be done in the upper Missouri, it would seem, is the revetment work, to prevent the river from overflowing and washing away the land, and that is being done.

I merely wanted to call the Senator's attention to this testimony before the committee, and suggest also that perhaps he knows of the patent arrangement whereby they are taking down trees and anchoring them, and tying them together with wire, thereby really accomplishing very great results all along the Missouri. I think the Army engineers have approved that process, and it is working splendidly. But the main thing now is the revetment work, which the Senator has so graphically described as resulting in shifting the channel of the river from time to time, washing away great areas on one side and putting them on the other, and vice versa. That is the main thing to be stopped; but the thought is that it is incumbent on the owners of the land being affected to do that. They are proceeding to overcome those difficulties by this revetment process, and when they get that sufficiently well under way, then the Government ought to step in and take care of the channel, and I think that is their purpose. In the meantime, the appropriation they are asking for is for maintenance.

Mr. McCUMBER. Mr. President, answering the Senator most briefly, I do not suppose there is a landowner in my State, or in the State of South Dakota, or in the State of Montana, who asks the Government to expend one penny to protect his land.

Those who are operating boats on the upper Missouri are asking the Government to expend some of its money to protect the channels of the river. In the lands adjoining the river in my State where the caving process is most apparent I do not think that it would pay any farmer to revet it to protect his

land. It would cost more to do the revetting than the land would be worth. Therefore, if he finds that there is danger of caving and his buildings are too close to the river, he simply moves them back and allows the cave-in to follow its natural course.

But I call the attention of the Senator to another photograph of the end of the Bismarck Bridge, one of the great international bridges just completed [exhibiting]. There are 6 miles of very low land, covered with rocks and sand, and which overflows at every overflow of the river. That land is not worth anything for tilling purposes and is worth scarcely anything for any other purpose. The only good that we ever got out of it so far was to cut the willows from it and use the willows and rocks for revetting. No one is going to put up revetments at the point which I have shown the Senator upon the photograph in order to protect the channel. The Government has got to do it or the Government is bound to lose the benefit of its bridge across the Missouri River, and then would have to build another bridge across the new Missouri River that would undoubtedly in a few years be running at least 3 or 4 miles from the present channel.

Mr. WILLIS. Mr. President—

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from Ohio?

Mr. McCUMBER. I yield.

Mr. WILLIS. I dislike to interrupt the Senator, but he has been very generous in yielding. I want to ask one other question for information. In speaking of the bridges he referred to the protection which the proposed appropriation would give to Government property. What Government property is involved? Have the bridges been built by the United States Government?

Mr. McCUMBER. We have appropriated \$150,000,000 a year for post roads, to be expended provided the States raise an equal amount. In the bridges across these great rivers the Government has a post road, has its half interest if it were measured by the amount of money it puts in, but has complete control over it as a State road.

Mr. WADSWORTH. Does the Senator think the Government has control of State roads?

Mr. McCUMBER. I say the Government has a right to control all the post roads of the country under its general law.

Mr. WADSWORTH. Oh, yes; but that does not mean that the Federal Government has control of the Federal-aid roads in the sense that it may do anything it wants with reference to them.

Mr. McCUMBER. Oh, no; but it has the right to control them, and has its money invested in them for governmental advantages.

Mr. WADSWORTH. I wonder if the Senator would give me some information on that point. The Government having put in its share in the building of the roads, including occasionally a bridge, although I think that is rather unusual—but it has been done in some instances, and undoubtedly was done in this instance—is it the Senator's idea that the Government should help maintain the bridge and the road?

Mr. McCUMBER. It is my idea that if the Missouri River cut through at another point, leaving high and dry that section where the present bridge is, and leaving the channel, perhaps 2 miles wide, at another section, the Government would be getting no benefit, and neither would the State be getting any benefit from it. If we are to have a bridge in that vicinity, we would then have to build another bridge across the river in the other section.

Mr. WADSWORTH. Has the State spent any money at this point in the way of revetments?

Mr. McCUMBER. The State has done its part in the building of the bridge.

Mr. WADSWORTH. I mean in the revetment work.

Mr. McCUMBER. The State is not interested that I know of in the revetment.

Mr. WADSWORTH. The State has a one-half interest in the bridge and has the entire obligation of maintaining it.

Mr. McCUMBER. I am not speaking now just with reference to the one bridge.

Mr. WADSWORTH. The Senator used it as an illustration.

Mr. McCUMBER. The revetment I am asking for is for the purpose of maintaining a channel for navigation, and I am simply speaking of the bridge as it affects not only the channel for navigation but also protects the post roads in which the Government has an interest.

Mr. WADSWORTH. Will the Senator tell us whether the State of North Dakota has appropriated any State funds for the purpose of revetments along the river to save the property of its own citizens?

Mr. McCUMBER. I can not answer that question. I do not know whether it has or not.

Mr. WADSWORTH. Does the Senator know whether the State of South Dakota has expended any State funds on revetments to save the property of its own citizens?

Mr. McCUMBER. I do not know; but the Senator from South Dakota [Mr. STERLING] can undoubtedly answer the question.

Mr. STERLING. I can answer the question. I will say to the Senator from New York that I do not think the State of South Dakota has made any appropriation yet for that purpose, but I am not saying that it would not if it had the proper encouragement from the Government.

Mr. McCUMBER. I think the State of North Dakota has done some revetment work at the point of the bridge in order to protect the channel more or less at that point, undoubtedly, but just to what extent it has been done I do not know. That would be done, of course, in connection with the work of the Government. But remember all the time that all we are seeking is to maintain a channel for navigation. If the channel is cut through at the point I have mentioned, it would not be a channel that would be navigable. There would probably be water on both sides and that strip of country would be an island.

When the Northern Pacific placed its bridge, which the Senator will see in the photograph, just below the point where the cutting is going on to-day, it maintained dikes at that point to protect against the flow of the ice and the ice gorges and to protect against the cutting. Those who are acquainted with the Missouri River objected to the use of the dikes, saying that they would not and could not be effective. But the Government engineers—and the Government did part of the work there and expended part of the money—insisted upon the dikes. The dikes would have been all right had they gone down 1,700 feet to get a foundation of the blue clay. In other words, if they had gone down to the level of the Gulf of Mexico they could have built the dikes; but they built them upon sand, and when the floods and the winds came they were destroyed. Wherever they have done any reasonable amount of diking they have generally been quite successful in maintaining the channel in its place. It would require considerable diking at the point of the bridge to which I have referred, as it would require considerable at other points.

The Senator stated if there are landing places, the State should maintain the landing places. Upon the same theory the State of New York should pay the entire expense of maintaining the dikes and maintaining open channels, and the Federal Government should put in nothing.

Mr. WADSWORTH. The Senator is mistaken. I did not mention landing places.

Mr. McCUMBER. I understood the Senator to state that that is one of the places the State should take care of.

Mr. WADSWORTH. I asked the Senator if the State, in the protection of its own highway bridge, had done any revetment work.

Mr. McCUMBER. We can not use our landing places unless we have the river maintained where it is now. We can not use the elevators and warehouses, which are built for holding coal and hay and grain, unless we are able to get up to them in boats. For that reason it is necessary to protect the channel. All I am asking in this instance is that, notwithstanding the prejudice of certain engineers who are located at Kansas City and whose only thought is deepening the channel between Kansas City and the mouth of the river, there shall be appropriated out of this sum a sufficient amount to keep our little boats of light draft going, by pulling out the snags and by revetting the shores where the channel is liable to change. It would help us and at the same time it would save very much of the cave-ins which are landed down near the mouth of the Missouri and which must be taken out there again.

Mr. KING. Mr. President, will the Senator yield?

Mr. McCUMBER. I yield.

Mr. KING. Would not the Senator's policy, if I understand him correctly, involve upon the Federal Government the obligation of protecting the banks of the Missouri and Mississippi Rivers from the source to the mouth?

Mr. McCUMBER. No; not unless the protection of a bank at a particular place was necessary in order to hold the channel in its proper place and make the river navigable. There would be no duty upon the Government to protect the adjoining lands. The duty would be simply that of keeping open the channel in the best way that it could be kept open. In my opinion the

only way in some of these instances would be by proper revetments.

Mr. KING. May I inquire of the Senator, in view of the broad statement which he makes, if it is his contention that it is the duty of the Federal Government to make navigable every stream in the United States which may possibly be utilized for commerce purposes for a few boats or the floating down of a few logs, or what not?

Mr. McCUMBER. No; and I may say, Mr. President, that I have grave doubt of any great advantage that may come from the navigation of the Missouri River below Kansas City down to its mouth. There is where all of the money is being expended, although there is no commerce there to-day. So long as the Government is engaged in the policy of attempting to maintain commerce upon its inland rivers, I insist that it ought to expend some of its money where the commerce is and where it is likely to be for many years to come, for the grain that is moved by boats along the Missouri River and in Montana will not—at least during the Senator's lifetime, much less during my lifetime—be carried down to the Gulf of Mexico. It will be brought to the railroad intersections of the river and there continued as a shipment over the railways to Minneapolis, Duluth, Chicago, and other cities.

I think, Mr. President, I have in a general way explained why it is necessary that Congress should determine that some of the money proposed to be appropriated for rivers and harbors—fixing a definite amount—should be expended where the commerce is. If any Senator thinks that the amount which I have designated in the amendment is too great, I certainly should like to hear him upon that subject.

Mr. WILLIS. Mr. President, I always regret to have to oppose any amendment or any legislation which is sponsored by the distinguished Senator from North Dakota, but I think this amendment, in the first place, might be subject to a point of order. I shall not, however, make the point. I have requested from the Senator from Montana [Mr. WALSH] some citation of the authorization for this appropriation. The only thing he has been able to suggest is that there have been for a number of years incidental appropriations. The point I make is that this is not a project which has been authorized in the regular way by act of Congress, but I do not press that matter and do not make the point of order, for I think the Senate ought to determine the question on its merits.

Mr. President, if we are to adopt the policy of stating in connection with the appropriations for river and harbor purposes where the money shall be expended, we are going to be very quickly in a quagmire. If this amendment shall be adopted providing that \$250,000 of this appropriation shall be expended in such and such a manner, then some other Senator will offer another amendment providing that one million of it shall be expended in such and such manner, and we shall find ourselves in inextricable confusion. I think the policy would be exceedingly bad. If this amendment shall be adopted, as one who is interested in the appropriation I shall feel it my duty to offer another amendment providing how certain other portions of the money shall be expended.

Mr. McCUMBER. Mr. President, may I ask the Senator from Ohio a question?

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from North Dakota?

Mr. WILLIS. I yield.

Mr. McCUMBER. If the Senator felt certain that the engineers would not use to exceed \$14,000 or \$15,000 on this 1,400 or 1,500 miles of the river, notwithstanding the necessity for a larger expenditure, would he be in favor of Congress saying that a sufficient amount—whatever that amount might be—should be used on that stretch of the river, notwithstanding the view of the engineers that they should use the entire amount below Kansas City?

Mr. WILLIS. I suppose in that case, situated as is the distinguished Senator from North Dakota, I would do just exactly as the Senator is doing, although I should not be able to do it with the great ability which he always manifests. I should try to make the fight for my people. I regret, however, that I can not agree with the view that the Senator has expressed. I am talking about the policy of this kind of legislation. I warn the Senate that if it shall adopt this amendment there will be other amendments, and very numerous amendments, offered providing just how portions of the aggregate appropriation shall be expended. That would be an overturning of the policy which heretofore has been adopted in connection with river and harbor appropriations.

I do not believe the Senate has the information which would enable it to determine without investigation what projects are

the wise ones to be adopted. The policy which heretofore has obtained is that the subject is taken up in the Committee on Commerce, and certain projects are adopted, after the very fullest consideration. If we are now to overturn that practice and begin the policy of adopting projects here upon the floor of the Senate, I think it will be found that such a scheme of legislation will be exceedingly unsatisfactory.

As suggested by the Senator from Florida [Mr. FLETCHER], the only justification for these appropriations, as I view them, is that they are going to be an aid to commerce.

I concede, of course, that the revetment of the banks of the Missouri River might be an indirect and inconsequential and somewhat speculative aid to commerce. If we should keep a wagonload of dirt from being washed into the Missouri River away up near its source somewhere, there would be one wagonload less of sand to take out down in the delta of the Mississippi River at some point; but I submit that that advantage would be rather remote and speculative. I doubt whether the Government ought to adopt a policy of the revetment of the banks of the Missouri River and the Mississippi River so as to protect the interests of navigation in the lower channel.

Mr. McCUMBER. Mr. President, may I ask the Senator another question right there?

Mr. WILLIS. I yield to the Senator from North Dakota, with pleasure.

Mr. McCUMBER. Why should we provide that a certain amount of the \$56,000,000, or whatever the sum may be, which is here proposed to be appropriated, shall be used on the Missouri River? Why should we not say that the \$56,000,000 shall be used on rivers and harbors, without designating a particular river or a particular section of the country?

Mr. WILLIS. That is precisely what the pending bill does. The bill carries simply a lump-sum appropriation and does not designate where it shall be expended.

Mr. McCUMBER. Does not the bill provide for the expenditure of \$1,500,000 on the Missouri River?

Mr. WADSWORTH. Oh, no.

Mr. WILLIS. Not at all. The bill carries merely a lump-sum appropriation.

Mr. McCUMBER. Very well; but can not the Senator from Ohio see that we are wholly at the mercy of individuals who may combine projects or put everything into a project that would not have the approval of Congress? Can not the Senator understand that we ought to protect what little commerce we have rather than expend all of the money in a certain section of the country in order to protect some future commerce which we may hope to develop?

Mr. WILLIS. As the Senator from New York very properly suggests to me, the money proposed to be appropriated can only be expended for the projects that have been approved by legislation enacted by the Congress. What the Senator says of course is true in this respect, that we have got to follow either one or the other system. We can follow the present system of making an appropriation and leaving the expenditure of it to men who have made a lifetime study of the general subject of aids to commerce and navigation; that is the policy that we have now embarked upon; or we can follow the policy involved in the amendment of the Senator from North Dakota, cast to the winds the information already acquired, and, instead of permitting the men who have the scientific information to settle the question, settle it ourselves, and provide that there shall be so much appropriated for this project and so much for that project. I submit that the former method is better.

Mr. McCUMBER. Mr. President—

Mr. WILLIS. I yield to the Senator.

Mr. McCUMBER. Suppose we have found that by adopting the policy which the Senator mentions the money which has been expended year after year in certain sections of the country has been of no avail whatever, while in other sections where there is commerce that commerce has been greatly crippled by the application of that rule. Is it not time then that we should change the policy and use our judgment as to where the funds should be expended, rather than continue a policy under which money is expended where it is not needed, where it is not doing any good, and projects that would be of benefits to commerce are left entirely unprovided for?

Mr. WILLIS. Mr. President, that is a question, of course, upon which the judgment of men will differ; but since the question has been fairly propounded I venture to say that the chief reason for the unwise expenditures that have been made heretofore has been the very policy of the amendment which the Senator now offers and defends.

While we are on that point I wish to say, Mr. President, that it seems to me that to get anywhere with the policy of internal improvements the money ought to be expended upon lines of transportation that begin somewhere and end somewhere. The same question is involved in expenditures for public roads. In a number of States public funds have been wasted because moneys have been expended for the reason that this interest or that Senator or that Representative or this community or that community have demanded that they should have a share, and as a result we have had roads constructed which began nowhere and ended nowhere. We have commenced to make progress only as we have adopted a system to construct great roads that really get somewhere. My notion is that the only way we are going to get very much good out of the improvement of rivers and harbors is by having a definite system. That system has been worked out by the Board of Army Engineers. Now it is proposed to take away from them that authority and to bring it back here into the Congress, where it shall be a matter of only cursory investigation on the floor of the Senate and the floor of the House. I think the policy is exceedingly unwise and that the amendment of the Senator from North Dakota ought to be defeated.

Mr. HITCHCOCK. Mr. President, I think the Senator from Ohio is in error in assuming that this is not a legalized project. I find in the report of the Chief of Engineers reference to the creation of this project under this title:

Existing project: This provides for the expenditure of from \$75,000 to \$150,000 yearly for five years in the removal of snags and rocks from the channel and in bank protection within easy boat reach of landings, towns, and railroad crossings between Sioux City, 807 miles above the mouth, and Fort Benton.

I also find in another portion of the same volume the creation of another project, having a similar purpose, from the mouth of the river up to Sioux City. So that in the past both of these stretches of the Missouri River have been incorporated into river projects for the purpose of maintenance of navigation. I think to that extent the Senator from North Dakota is warranted in claiming recognition and approval of these projects.

Mr. WILLIS. Mr. President—

The VICE PRESIDENT. Does the Senator from Nebraska yield to the Senator from Ohio?

Mr. HITCHCOCK. I yield.

Mr. WILLIS. The Senator, perhaps, misunderstands my contention. Of course I know that appropriations have been made for various individual improvements at various times running through many years, as pointed out by the Senator from Montana, but my contention has been and now is that this improvement has not been adopted as one of the authorized projects by any act of Congress. I have not had time to hunt up the statutes, but I have requested that that be done, and thus far no one has been able to cite the authority. I do not concede from the information I have that it is an authorized project, but I do not urge that point; I am talking about the question of policy.

Mr. HITCHCOCK. The project was duly established in both cases—I think there is no doubt about that—but now I ask the Senator from North Dakota why he specifies in his amendment the stretch of river from Sioux City to Fort Benton? I might have been seduced into supporting this amendment if the Senator had incorporated the stretch of river from Kansas City to Sioux City, because I might feel that my constituents had a personal interest in the matter, placing myself in the same attitude that the Senator from North Dakota does, but the Senator specifies—

Mr. McCUMBER. I will answer the Senator, if he will allow me. I will answer him by saying, as the Senator from Ohio said a short time ago, that in all of these projects the money ought to be expended for something that begins somewhere and ends somewhere. I am in absolute agreement with the Senator from Ohio in that statement. The only real commerce to-day upon the Missouri River begins at Fort Benton and ends at Sioux City, Iowa; and that is the reason why I ask that this proportion of the sum should be expended in that stretch, and all the rest—any amount they want to expend—below Sioux City. The engineers at Kansas City have always been favorable to those projects below Sioux City and below Kansas City, and I considered that they would take care of that without any question.

Mr. HITCHCOCK. Mr. President, I am in some sympathy with what the Senator says in criticism of the policy which makes such large appropriations for the stretch of the Missouri River from Kansas City down to the mouth, a distance of about 400 miles, and such small appropriations for the stretch of river above Kansas City; but the Senator, I think, will have

difficulty in justifying his statement that the chief commerce on the Missouri River is above Sioux City. According to the testimony before the committee in the House and according to the report made by the War Department, the commerce in 1921 on the Missouri River from Sioux City to Fort Benton was 9,164 tons, whereas the commerce between Kansas City and Sioux City—

Mr. McCUMBER. I want to say that in that year and for two years there was an entire failure of crops along that section of the country and, as I stated when I opened the debate this morning, the commerce was almost nil during 1920 and 1921.

Mr. HITCHCOCK. Can the Senator state what the present commerce is? What is the tonnage?

Mr. McCUMBER. I could not tell the Senator; but I asked the captain of one of the boats, and he said that his line of boats would handle this year about three-quarters of a million bushels of wheat alone, besides the coal and other articles of commerce.

Mr. HITCHCOCK. I only know what figures are given in our public documents. According to them, the tonnage north of Sioux City on the Missouri was 9,000 tons, and the tonnage from Kansas City to Sioux City, which passes the great city of Omaha, was 110,000 tons; but I want to justify what the Senator says in criticism of the policy which has made the appropriations for the Missouri River almost exclusively from Kansas City to the mouth of the river, some 400 miles farther down. There, with a commerce amounting to only 139,000 tons, they have appropriated something like a million dollars a year recently; and they now propose to use a million dollars a year for improvement and \$500,000 a year for maintenance, although the tonnage from Kansas City to the mouth of the Missouri where it empties into the Mississippi, is only 20,000 tons greater than it is from Kansas City to Sioux City; so that the appropriations do not appear to be based upon the plan of recognizing and promoting commerce but upon some arbitrary rule which the engineers have established for themselves.

Mr. McCUMBER. Mr. President, the Senator said the commerce was 20,000 tons greater; but if he will examine the cargoes he will find that those many thousands of tons are nothing but sand that is dug out for building purposes along the Missouri.

Mr. HITCHCOCK. There, again, I am not able to state, because I only have the figures; but, according to the figures, the commerce, as reported by the Government officials—the very same officials who allot the money—is practically as important from Kansas City up to Sioux City as it is from Kansas City to the mouth of the river where it empties into the Mississippi. So I sympathize with what the Senator says—that there appears to have been a sort of blindness afflicting the engineers when they considered the project north of Kansas City, which has led them to devote practically all of the Missouri River appropriations to the stretch below Kansas City.

Mr. WADSWORTH. Mr. President, will the Senator yield at that point?

Mr. HITCHCOCK. I yield.

Mr. WADSWORTH. I am not certain that I am accurate in my understanding of this situation, but, judging from the testimony of General Taylor, I gathered the very distinct impression that from Kansas City to the mouth the project was a definitely adopted project, with a total expenditure estimated at \$20,000,000—

Mr. HITCHCOCK. I think so.

Mr. WADSWORTH. And apparently it was the purpose and intent of the Congress at that time to spend \$2,000,000 a year on that project for 10 years, until it was finished, at a total cost of \$20,000,000. Of course, they have not spent much more than a million dollars in any one year; but I think that will explain why it is that the engineers have spent so much more below Kansas City than above. They were, in effect, directed to do so.

Mr. HITCHCOCK. I think that is possible, and I am not now complaining, and I do not propose to offer an amendment to expend money on the stretch where the river washes Nebraska. I have not much faith in those appropriations; and I think the Senator from North Dakota, if he got an appropriation ten times as large as the existing appropriation, would be disappointed in the result. I have a good deal of doubt whether in these railroad days the Missouri River can be converted again to what it once was—a navigable stream. I remember that when I was a boy great flat-bottomed boats went up and down the Missouri River and carried a large commerce; but the advent of the railroad has practically driven those boats out of existence, and it is more the railroad competition than it is the unnavigability of the river that has wiped off that commerce. I doubt whether we can restore commerce to rivers of this sort

unless we adopt the German method of enforcing a rule by which certain commerce shall go on rivers and shall not be carried on the railroads. So that I have not much faith in the merit of dumping money into the Missouri River if it is proposed that the appropriation be increased along the stretch of the river with which I am familiar.

Mr. McCUMBER. Mr. President, I want to agree with the Senator that I have not much faith in the Missouri ever being a great thoroughfare; but there are certain stretches between the great continental lines where there will be boats running for the benefit of the grain and the coal and hay, and so forth, where they can be, as I have explained, sorts of extensions of the railroad lines. That is where the commerce has been for the last twenty-odd years, and there is where, in my opinion, it will be for the next 50 years, at least; and it is to help that commerce that I think we ought to provide that a sufficient amount should be expended that the commerce might be continued. If the Senator thinks I have made my limitation on the miles to be covered by this appropriation too short, and if he thinks that it ought to go down as far as Omaha, which is not very far below Sioux City, I have not the slightest objection to an amendment to that effect.

Mr. HITCHCOCK. I am not asking that, Mr. President. I have had pressure brought to bear on me by my constituents who think the Missouri River can be benefited by large appropriations, and, as a rule, I have not favored them. I know that the real motive for people along the Missouri River desiring appropriations by the Government is a real-estate proposition, just as the Senator from North Dakota has practically admitted. The river does cut into the shores; it does take off parts of farms; it does cause local loss; and if Congress could lawfully undertake the work of putting a stop to that on those rivers I should be in favor of the appropriations to do so, although I think it would result in enormous undertakings by the Government.

Mr. McCUMBER. I hope the Senator will not say that I have admitted that, because I have stated, to the contrary, that, so far as the landowners in my State are concerned, none of them has taken the slightest interest in the matter, and I did not believe that they would receive a sufficient protection to justify any expenditure at all. I simply stated that it ought to be done entirely for the purposes of navigation and without any regard whatever to any interest of any adjoining landowner.

Mr. HITCHCOCK. That is all that can be done legally under our form of government. Congress has not any right, under any constitutional provision, to undertake to protect the owners of riparian land against damage. All that Congress can do under the Constitution is to promote navigation; but we have used that fiction very largely to protect and assist local interests, and I am afraid it has been done a good deal in this bill, and done a good deal down South in the States that have suffered from the inroads of the Mississippi River, for which the Missouri River is partly responsible. So I do not favor the Senator's amendment, and I do not even desire to offer to incorporate in it that part of the Missouri River in which I might be interested.

Mr. STERLING. Mr. President, just a few words relative to the amendment of the Senator from North Dakota [Mr. McCUMBER]. I am in hearty sympathy with the amendment, and I hope it will prevail.

Mr. President, I am not here to argue that within a couple of hundred miles northwest of Sioux City and on the Missouri River there is now any great amount of commerce. It might be termed inconsequential, so far as that is concerned. I agree with the Senator from North Dakota that farther north, and as the Missouri River courses through his State of North Dakota, there is more river commerce than there is farther south. But, Mr. President, I am here to contend that every piece of revetment work on the Missouri River, while it will protect the banks from erosion and save valuable farms from being washed into the river, is at the same time directly in the interest of commerce and navigation wherever that revetment work may be placed.

These very Army engineers who have insisted upon a different policy, and who have objected, as I think they have from time to time, to revetment work along the Missouri River because it was not in the interest of commerce and navigation, have themselves said that the Missouri River carries down into the Mississippi River 400,000,000 tons of silt annually; and it follows that if that amount of silt is carried by the Missouri into the Mississippi River it impairs navigation, it interferes with commerce, and is the justification for the expenditure of many millions of dollars in the improvement of the Mississippi River. So, Mr. President, in the interest of

commerce and navigation on the Mississippi, as well as on the Missouri, the amendment here proposed is justifiable.

Annually snag boats are sent out to pull the snags from the Missouri River. I heard of a little incident which happened a few years ago. A snag boat was making its annual journey up the river and a few miles to the northwest of Vermilion pulled from the bank of the river a tree to which some revetment work had been fastened, or lashed, by farmers who were endeavoring to save their land by building a little revetment work of their own. The captain, looking out from the deck of the boat, saw the tree and thought that the banks would erode and the tree would be washed into the river within a year or so, and that as a measure of precaution he would have it taken out, so he summoned the crew, and it was taken out, and the revetment work which these farmers had tried to construct on their own account was destroyed by this effort of the people managing the snag boat.

We see need of this work in a very plain way at the city of Yankton, 26 miles from my own home town. The people there by private subscriptions and donations have built across the Missouri River a bridge for railroad purposes, and for wagon-road purposes as well, and on the south of the bridge there is great danger that the approaches may be washed away because of the erosion of the banks at that place by the Missouri River. Some revetment work upon the shore would protect those banks, and if not directly in the interest of commerce and navigation it would be directly in the interest of interstate commerce, because if the bridge is destroyed commerce over the bridge between the citizens of Nebraska and the citizens of South Dakota of course will fall with it.

I hope no narrow view will be taken of this proposition. The proper place to begin the improvement of the Missouri River, with commerce and navigation as the great end in view, is nearer the source and up the stream, rather than beginning down and dredging out year after year what is carried down the stream the year before, interfering with navigation there, and causing or helping to cause, in great degree, the overflow of the banks and the destruction of the farms along the Mississippi River below the mouth of the Missouri.

Mr. KING. Will the Senator yield?

Mr. STERLING. I yield.

Mr. KING. We have expended more than a hundred million dollars to date upon the Mississippi River. I want to ask the Senator whether he believes the results, viewed from any standpoint, have warranted the great expenditures which have been made by the Government of the United States?

Mr. STERLING. I am not to say as to that quite, Mr. President. I do not know but that those expenditures have been warranted from year to year; but there would not have been the necessity for those expenditures if the proper improvements had been made on the Missouri River farther north.

Mr. KING. The Senator knows that just in proportion as we have expended money there has been a diminution in the amount of commerce upon the river. As stated by the Senator from Nebraska a moment ago, when he was a boy a large number of flat-bottomed boats plied up and down the Mississippi River and the Missouri River, and we know that Mark Twain has described with great felicity the boats which were used upon the Mississippi River in his days.

There was much passenger traffic and a considerable amount of tonnage carried up and down the Mississippi and Missouri Rivers; but now, after we have expended nearly \$150,000,000 upon the two rivers, there is scarcely any traffic. There is perhaps a little up in the State of the Senator from North Dakota, perhaps ten or eleven thousand tons last year. Out in my State and in the other States in the West the little mining streams could float down more than that, and some of the little mines would carry upon their railroads twenty-five to forty thousand tons a day. We do not ask Government subsidies or aid of that character.

Mr. STERLING. There is yet considerable traffic, I think, on the Mississippi River, and along the river where such vast expenditures have been made for the improvement of the river; not great, we may say, in comparison with the traffic of the country generally or with the traffic carried by the railroads, but yet considerable traffic; and I would not favor a policy which would dispense with the improvement of our great waterways, like the Mississippi, like the Missouri, like the Ohio Rivers. Though the traffic may not at the present time be so great, I think it is essential to keep these rivers improved. There are great potentialities in keeping those waterways open for commerce and navigation.

So I think we ought to take this broader view: That we should not think now as to whether this little revetment work here and there, revetment work at the bridge at Bismarck, revetment work elsewhere along the Missouri River, in North

Dakota or South Dakota, is going to help navigation and commerce right at those points. The question is whether it will improve the river and save the vaster expenditures which will be required further on down the river and in the Mississippi River.

Just a word in conclusion. Two hundred and fifty thousand dollars is not a great sum for the improvements contemplated—the improvements which are needed now—and even though we should reduce this total appropriation from \$56,000,000 to \$37,000,000, I am inclined to think we yet ought to have, and we are justified in asking, the \$250,000 provided in this amendment.

Mr. McNARY. Mr. President, I am in great sympathy with this improvement, and I hope the engineers may make very generous allotments for the work. I have some familiarity with the value of the suggested work. I know that one of the best ways to preserve the navigability of our streams is to protect the banks from the erosive effects of water. It is not a new idea. It is a proper form for our expenditures to take in the way of protecting the navigability of our navigable streams. It is practiced in the Columbia River, the Sacramento River, the Mississippi and the Missouri Rivers, and the Ohio River. So I differ with the Senator from Ohio [Mr. WILLIS] when he says that the money should not be expended in that manner.

I think it is one of the most effective methods, and I know something of the commerce on this stream. I know what effect it has had on keeping freight rates down. It is something we can not measure in figures, though the Senator from Utah [Mr. KING] wants to know if a certain appropriation brings back to the Government a certain amount of money. No one can tell mathematically.

I must oppose this amendment, though I regret exceedingly to have to do so, on account of the form rather than the sum of money carried. I think it is a departure in legislation which is unfortunate. Heretofore, and I should say until two or three years ago, Congress appropriated money in river and harbor bills for specific, enumerated projects, and the sums were placed after the names of the projects, but since 1918, as I recall the year, Congress has seen fit to appropriate lump sums, leaving to the judgment of the engineers the amount of money to be expended on particular projects. I think that has worked very well. There is nothing in this bill carrying this lump sum which would prevent the War Department, working through their Board of Engineers, from expending \$250,000 on this very work.

Mr. McCUMBER (in his seat). They will not do it.

Mr. McNARY. The Senator says in a mild voice that they will not do it. I do not know anything about that, and I am inclined to think he does not know. I have known lump-sum appropriations to be made, and the department to come to the committee of Congress having charge of the matter with an estimate of an amount they would like to spend on various projects, but when they get into the work they use much less on one project and much more on another. So, if the Senator, with his great influence and power as a public official and an able Senator, would go with the distinguished Senator from South Dakota [Mr. STERLING], or let anyone go, and show the merits of this improvement, I have no doubt but that the Board of Engineers would allot to this improvement the sum of \$250,000.

Mr. STERLING. Mr. President—

The VICE PRESIDENT. Does the Senator from Oregon yield to the Senator from South Dakota?

Mr. McNARY. I yield.

Mr. STERLING. As I sought to point out in the few remarks that I made, the trouble is that the question with the engineers will be as to whether it will improve commerce and navigation at that particular point. That is the question the engineers raise. But, as I tried to show, there is a broader question than that. The question is whether commerce and navigation will be helped elsewhere—not necessarily at that point, but elsewhere—and the engineers, it seems to me, have overlooked that fact.

Mr. McNARY. Mr. President, the whole thing is out now in the light. The Senator from South Dakota, capable and able as he is, desires to direct by legislation what the engineers shall do. Upon that point we differ. I say that is a policy which is not practical and not wise.

Mr. STERLING. I think where they take the entirely opposite view it is wise and it is just for Congress to say what they should do. That is the very point here.

Mr. McNARY. How can Congress tell what is wise and just and proper to do? When a bill is brought up in the morning some Senator offers an amendment which has never been considered by a committee or by the Director of the Bureau of the Budget, and which is in direct conflict with the ideas of the engineers, skilled in that line of work, and the Senator, in a 15-minute speech, attempts to show Congress, the Members of which have never seen the river, that we should increase an

appropriation because, in his humble opinion, it should be done. Is that the way legislation should be fashioned in this body? It is just to avoid such things that we appropriate the money in lump sums.

I would go a long way to help my fellow Senators get this appropriation for this project, which I think is an important one; but I can not see the wisdom of this practice, and I do not want to see established the precedent of designating particular projects in a bill carrying a lump sum. This is not the first time it has been tried. Such an attempt failed in the consideration of the last Agricultural appropriation bill. There was an item in that appropriation bill carrying, as I recall it, \$502,000 for the destruction of predatory animals, and a very distinguished Senator from the West offered an amendment providing that \$150,000 of that sum should be expended in a particular State. The conferees considered it only lightly.

We can not come here and say we will appropriate a certain sum of money, based upon the judgment of the engineers, and then adopt one amendment or a dozen amendments which specify particular projects. If we start in that fashion, every Senator who has a project in his State, every Senator who wants an increase, will attack the estimate of the Board of Engineers and propose an appropriation. Suppose I should come in and want to add an appropriation to improve the Columbia River by a system of revetments such as they are using on that river advantageously. Would the Senator from North Dakota say I was justified, simply because I thought the sum to be appropriated was larger than the sum estimated by the Board of Engineers? Shall we obtrude our individual opinions against those of skilled men who make a life study of that work?

Mr. STERLING. Mr. President—

The PRESIDING OFFICER (Mr. TOWNSEND in the chair). Does the Senator from Oregon yield to the Senator from South Dakota?

Mr. McNARY. I yield with pleasure.

Mr. STERLING. Suppose the engineers had decided upon some revetment work on the Columbia River, or suppose they would not put any revetment work at any place where they should, and they continually held to that policy and refused to do any revetment work. Would the Senator feel justified in coming to Congress and asking Congress to correct the situation?

Mr. McNARY. There it goes again. I do not put up my ability as an engineer against the ability and skill of Army engineers who have practiced their profession for a lifetime. I might think there ought to be 400 pieces of revetment work on the Columbia River, when there were only 40 actually needed. I would not have the hardihood to come to Congress and ask that my judgment be substituted by legislation for the judgment of experienced engineers.

Mr. LENROOT. Mr. President—

The PRESIDING OFFICER. Does the Senator from Oregon yield to the Senator from Wisconsin?

Mr. McNARY. I yield.

Mr. LENROOT. In the illustration given by the Senator, would any committee think of overturning the report of the engineers without a full consideration by the committee and having the engineers before it to give it information as to the reasons for its action?

Mr. McNARY. I certainly would not proceed in that manner.

Mr. LENROOT. Would any committee of Congress make a recommendation that an adverse report of the engineers be thrown aside and affirmative action taken without a consideration of the matter in the committee at all?

Mr. McNARY. I do not think so. I know of a case in Oregon where a new project was desired and I offered a proposition in the form of an amendment to the legislative appropriation bill. I went before the committee. The engineers appeared before the committee. The matter was presented fully to the committee and finally reported, and the item was carried in the bill. But the objection I urge in a feeble way against the policy attempted to be inaugurated by the Senator from North Dakota is that that course is not pursued in this instance.

In conclusion, I again say that I regret exceedingly I find it necessary to speak against the project, because I know the money ought to be expended to the full amount, and I would join in any movement to bear upon the engineers so that they might give a more sympathetic expression in the matter.

Mr. STERLING. Mr. President, I wish to say just a word in reply, and it is suggested by the question asked by the Senator from Wisconsin [Mr. LENROOT]. The Senator from Wisconsin inquired as to what we would do or what we would not do with reference to the report of the engineers. Under ordinary circumstances of course we would say, "Let us have, and

perhaps follow, the report of the engineers." But we are familiar now, I think, with the established policy of the Army engineers in regard to these projects and these particular questions of improvement. We know what they have determined upon, and we know that the underlying principle by which they are guided is as to whether a particular piece of improvement or piece of revetment work would benefit commerce and navigation at that place. That is the principle which they follow. We are trying to insist upon their following another policy.

As I said, the policy advocated by the Army engineers is well known. It is competent for Congress, knowing that is the policy of the board, to determine upon another policy. That is what the amendment seeks to do. The amendment calls for the expenditure of \$250,000, mostly in revetment work, of course, between Sioux City and Fort Benton, a distance of 1,500 miles.

Mr. WILLIS. Mr. President—

Mr. STERLING. It is all in the interest of commerce and navigation. Of course, it would directly help the farmers who are having some of the best farm land in the world washed into the Missouri River. It would help them in that way. But we know we can not get an appropriation on that ground alone. It must be in the interest of commerce and navigation, and we are contending that it is.

I now yield to the Senator from Ohio.

Mr. WILLIS. The Senator admits, then, that this would be a new departure, that if the amendment should be adopted it would establish a new policy touching the matter and would overthrow a policy which upon full consideration has been adopted by the Government?

Mr. STERLING. No; I am not quite admitting that. It is asking for a specific amount out of the lump-sum appropriation of \$56,000,000 for this particular purpose. We used to call it all a project. As I remember, the old appropriation measures called it a project from Sioux City to Fort Benton and appropriated so much money for that project.

Let me give the Senator an illustration: Just before I came to the Senate an appropriation of \$75,000 had been made for revetment work at the town of Elk Point, 15 miles from my home town. That revetment work stands there to-day. It has probably saved the town as well as many farms adjacent the town. It has helped commerce and navigation to the extent that just that much less silt is carried down into the Mississippi River. That is true of every piece of revetment work placed along the Missouri River. That is what we are contending for in this instance.

Mr. LENROOT. Mr. President—

Mr. STERLING. We can not get it through the Board of Engineers, but it is for Congress to determine whether we shall pursue that policy. I yield to the Senator from Wisconsin.

Mr. LENROOT. I have been absent from the Chamber during a portion of the discussion, but I would like to ask the Senator from South Dakota as to how much commerce is carried upon the upper Missouri River?

Mr. STERLING. I can not say, though I think it is considerable. I rely more on the statement of the Senator from North Dakota [Mr. McCUMBER] in regard to that feature, but I understand there is a great deal of commerce carried there.

Mr. LENROOT. A great deal? Of course, it is set forth exactly in the report. The Senators proposing this must be familiar with what is done there.

Mr. McCUMBER. Mr. President, I will answer the Senator, if he desires me to do so. I talked with the captain of one of the boats in Bismarck and he told me the amount of commerce carried in his boats. I do not know what other boats there are there—

Mr. LENROOT. I know, but—

Mr. McCUMBER. The Senator asked me the question, and I would like to answer it. The captain stated that this year they would carry about 750,000 bushels of wheat and that all the boats of his line were capable of carrying about 1,000,000 bushels. He also stated that on account of the total failure of crops for about three years last past the commerce in the upper Missouri had been very little.

Mr. FLETCHER. Mr. President, the report of the engineers shows what the commerce has been from Sioux City to Fort Benton and shows that it was 9,164 tons for 1921. Whether the Senator from South Dakota [Mr. STERLING] admits it or not, if the amendment is adopted it would change the whole character of the bill; it would change the whole policy which we have adopted since 1919, because if the amendment were adopted other Senators would suggest other amendments to take care of particular projects here and there all over the country, and it would make of the bill the old-time

rivers and harbors appropriation proposition, where the Commerce Committee handled it in the Senate and the Rivers and Harbors Committee handled it in the House, taking care of the whole measure from the adoption of the project to the making of the appropriation, inclusive.

In 1919 we adopted the policy of making a lump-sum appropriation and allowing the engineers to expend the money where it was most needed. They set out in their report what their recommendations would be and where they think the money ought to go. But I take it that if any project that needs attention was laid before them and their minds directed to it, they would not be bound absolutely to every item mentioned in the estimates which they have furnished. They could use part of the fund for the purpose of taking care of an emergency condition or a condition that was meritorious in their judgment. I am inclined to believe that if they saw fit, after the appropriation was made as called for in the bill, they could allot a certain amount of the appropriation to take care of the matter in which the Senators seem so much interested between Sioux City and Fort Benton. If they saw fit to do it, if they thought it wise and proper to do it, they could allot a certain amount of the lump-sum appropriation for that purpose.

But to specify in the bill that so much of the money shall be used on that particular stretch of the river is to change the whole character from that of a lump-sum appropriation to that of a general rivers and harbors bill taking care of specific projects, because other amendments would follow, and, as I said, we would revert back to the old policy and abandon the policy of lump-sum appropriations entirely.

Mr. WILLIS. Mr. President—

Mr. FLETCHER. I yield to the Senator from Ohio.

Mr. WILLIS. I desire to have the opinion of the Senator from Florida touching certain language in the amendment which has not yet been referred to. If he has the amendment before him, he will observe in it this language:

The revetment of shores where the same may be necessary, and for the maintenance of the channel to landing places and at points where the railroads intersect the Missouri River.

What special reason can there be for providing for revetment of the shores at the specific points where the railroads intersect the river?

Mr. FLETCHER. Of course that is clearly beyond the province of Congress, which is to appropriate money for the purpose of promoting navigation. It is not a question of navigation. It seems to be a question of protecting the railroads or railroad bridges. That is entirely aside from any power of Congress to appropriate money for the purpose of promoting navigation.

Mr. McCUMBER. Mr. President, will the Senator allow me to correct what is entirely a misapprehension?

Mr. FLETCHER. Certainly.

Mr. McCUMBER. If the Senator had given attention to my statement, he would have remembered that I stated that the commerce on the upper Missouri was in all cases between the great continental railways brought down to a point where such railways join with the stream. There is where the warehouses are; there is where the elevators are; there is where the landing places are; and having a channel at the landing place is for the purpose of navigation. Here it is supposed that a landing place is for the benefit of the railways, but I have never heard that the railways are interested one way or the other, except in the matter of protecting themselves.

Mr. WILLIS. I do not charge that, of course.

Mr. McCUMBER. The reason why we covered the point is to show in the amendment itself that the navigation is in connection with the railways. Commerce is brought, for instance, all the way from near Williston, in North Dakota, where the Great Northern line crosses, all the way down to Bismarck, where there are a number of elevators. The boats come up and take the grain at the elevators and take it down to the Northern Pacific, where the Northern Pacific crosses the Missouri, and there it is loaded into cars and goes to Minneapolis and Duluth. That is the only connection the railways have with the matter in this case.

Mr. FLETCHER. Mr. President, clearly, in my judgment, the amendment ought not to be adopted for the reasons I have stated. It would violate the principle upon which the appropriation is based. From 1919 to 1922 we did not adopt a new project, but in 1922 we did pass a bill providing for a new project. We have continued the policy, however, of lump-sum appropriations notwithstanding the passage of the bill in 1922, and only a part of those projects adopted in 1922 will receive any portion of the appropriations provided here.

It might be well to give a better understanding of the theory upon which the appropriation is made and the purposes and uses to which the money is to be put, by referring to General

Taylor's statement before the committee. On page 162 the chairman of the subcommittee, the Senator from New York [Mr. WADSWORTH], asked General Taylor:

Tell us something about the situation.

This is what General Taylor said in reply, and I hope it will be borne in mind because it bears on the whole question relating not only to the pending amendment but to similar amendments which may be proposed. General Taylor said:

The situation, briefly, Mr. Chairman, is this: During the war the work ran very much behind, like lots of other work, and we have been gradually catching up. Last year we had a good-sized appropriation, and we have done a great deal of work with that. Congress, in the river and harbor act of September 22, 1922, adopted 35 new projects. To carry on the work authorized by those projects for the next year will require \$13,000,000. The maintenance of our old works will require \$13,000,000 more, and that will be a total of \$26,000,000—twenty-six and one-half millions, in round numbers.

Mind you, we had not been adopting projects for some years past, and the work had fallen, as General Taylor says, very much behind. The engineers have recommended some 200 projects in the years past, but they have not been taken care of. The war was on; we did not favor large appropriations, but tried to keep all expenditures down to the narrowest limits, not only in reference to rivers and harbors but as to other public works. It will be remembered that we have had no general public buildings bill since March, 1913. We were disposed to keep down those appropriations, as I have stated, to the very lowest point. So we passed over from year to year the 200 projects which have been surveyed and estimates for which have been put in and recommended by the engineers, until finally, in September, 1922, we adopted 35; we picked out the very choicest and most needed and most commanding as to necessity for improvement—35 projects out of the 200. General Taylor continues:

To carry on the work authorized by those projects for the next year will require \$13,000,000.

That is one of the items covered by the bill—an appropriation of \$13,000,000 to begin work on the projects which were adopted in 1922. General Taylor goes on to say:

The maintenance of our old works will require \$13,000,000—

That is mere maintenance. Two items in the estimates with reference to the Missouri River include \$25,000 for maintenance from Kansas City to Sioux City, and from Sioux City to Fort Benton, \$15,000. Those two items will be taken care of under this appropriation as estimated by the engineers.

The maintenance of our old works will require \$13,000,000 more, and that will be a total of \$26,000,000—twenty-six and one-half millions, in round numbers.

That means that of this entire appropriation \$26,500,000 will go merely to the maintenance of old works, not to continuing improvements, and the beginning of work on 35 new projects which were adopted in 1922.

General Taylor further says:

To carry on the work of the other projects we cut the amounts down as much as we could, and the report shows the amount that can be profitably expended on all the works, including the new work adopted by the September, 1922, act.

Senator WADSWORTH. Is it necessary, in your judgment, to start work on all the 35 new projects immediately?

General TAYLOR. Those projects, Mr. Chairman, were selected from probably 200 or 300 projects which were before Congress, all with favorable recommendations, and they were selected after very full and careful hearings as being projects upon which work should be started immediately. I think there is no question but that work should be started immediately on all of them.

Senator SPENCER. We had not had any new projects adopted for some years?

General TAYLOR. Not since 1919.

Senator JONES. I might say here that the Commerce Committee asked the War Department, before we entered into consideration of the bill, to study the proposed new projects very carefully, so as to be prepared to recommend to Congress those that they considered really vital to our commercial needs and asked them to submit such as they did consider of particular vital importance for early commencement, and it was upon that theory that the legislative act that adopted these new projects was framed and passed.

General TAYLOR. I would like to add to what Senator JONES said, that in reply to the Commerce Committee's inquiry we divided the projects into two classes, those that were of first importance and those that were of secondary importance, and that the Commerce Committee selected out of those of first importance only a small portion of the projects, so they did not adopt by any means all of those that we recommended as being of great importance.

Senator SPENCER. That is, those 35 new projects are only a small number of the first-class projects that in your judgment require immediate attention?

General TAYLOR. That is correct. I can mention a few of them.

Then he proceeds to mention them. Under the appropriation of \$56,000,000 proposed in the bill, \$13,000,000 must go to the beginning of work on the 35 new projects which were selected out of the 200 or 300 projects which had been recommended by the Board of Engineers as being of prime importance. Then \$13,000,000 of the appropriation must go to the maintenance of

old projects. That leaves about \$30,000,000 to be applied toward continuing improvements on projects which have been under way for some years, some of which will be completed by this time next year, so that the next bill will in all probability not be so large as is this bill, because, as I have stated, some of these projects will be completed out of this fund and will be ended, and that will finally dispose of them. They are old projects which have been under way for years, but have not yet been completed. We have \$30,000,000 in this bill for the completion of a good many of these old projects and nearly to complete others.

The present method of appropriating for rivers and harbors has been in the mind of Congress for the last few years. I have not always agreed with it. I would rather see the old-time practice of having a river and harbor bill considered by the Rivers and Harbors Committee of the House, projects adopted, and appropriations made to take care of the items specified in the bill, and have such a bill come here and the Committee on Commerce of the Senate act upon it and report it, and have the Senate act upon it, specifying each project and each appropriation. That plan, however, has been abandoned for several years, and we have got to the basis of a lump-sum appropriation, having been driven to it partially by the exigencies which arose during the World War. We have adopted that principle, and that is the principle which is involved here. If Senators undertake to offer amendments which will specify how much of the money or what portions of it shall be appropriated on each project, we shall change the whole basis of the appropriation and introduce another principle.

Mr. OVERMAN. I inquire of the Senator from Florida, who is to determine how much of the money shall be spent on any particular project?

Mr. FLETCHER. That is left to the Army engineers.

Mr. OVERMAN. Is it left to their discretion as to the amount which it is necessary to spend on any particular project?

Mr. FLETCHER. Yes. That is true in a broad sense, of course, but as to a number of the projects which were adopted in previous years we specified the total cost. That has been understood. Those projects are to be finished within a certain time, and, from the engineers' report, we know exactly what is going to be required in order to complete those projects. The engineers are bound, therefore, to apply the appropriations to the completion of the particular work where it has been adopted by Congress with the idea of completing the work within a certain time; but, broadly speaking, the expenditure of this money is left to the discretion of the engineers. They know what work may be prosecuted profitably and wisely; they can not spend any money on any project that has not been adopted by Congress; they must expend it where Congress has authorized it to be expended, but they make the allotment to meet the needs of particular conditions.

Mr. JONES of Washington. Mr. President—

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from Washington?

Mr. FLETCHER. I yield.

Mr. JONES of Washington. The Army engineers can not expend more on a project than it was estimated it would cost to complete it as adopted.

Mr. FLETCHER. That is true.

Mr. JONES of Washington. In other words, they can only spend within the limit of the amount authorized for the approved project.

Mr. FLETCHER. Precisely; but out of the total sum appropriated they make the allotment where necessary to complete a project.

Mr. OVERMAN. Do they give notice as to the allotments and when hearings are to be held in connection with the allotments to be made? Is there any way by which we may be advised as to how it is done?

Mr. FLETCHER. Yes. The Senator will find a statement in the hearings before the subcommittee of the House of Representatives, and the report of the engineers also furnishes that information. In the hearings on the War Department appropriation bill for 1924, on the subject of nonmilitary activities, part 2, at page 890, will be found an itemized statement of the engineers which will figure up what they recommended at that time. From that statement the Senator can see what projects they have in mind as calling for various amounts under the sum appropriated in the bill.

Mr. OVERMAN. As I understand, however, they are not bound by the recommendation but they can spend within the limit of appropriation any amount they conclude to be wise on a given project.

Mr. FLETCHER. I think they are not absolutely bound; they can vary the amount, so that if conditions arise under

which more ought to be expended on a particular project they may expend it.

Mr. OVERMAN. So that it is left to their discretion. I may say that I do not see how under the circumstances the work could be accomplished in any other way, provided they are honest, as I have no doubt they are.

Mr. FLETCHER. It appears to be the only feasible way to proceed. They know the conditions of the work. They know, for instance, in certain localities they can not do work in the wintertime at all, so that they must work somewhere else; that in some localities the need is not as great as it is in certain other localities, and that economies may be effected by completing a certain project now and not waiting, and so forth. All such matters are considered by the engineers, when they make the allotment to carry out the purpose of the Congress, in order to accomplish the greatest results at the least cost to the Government.

Mr. SWANSON. Mr. President, to what extent in past years have they carried out suggested projects?

Mr. FLETCHER. Quite generally, I think, they have followed the list that was furnished by them to Congress.

Mr. SWANSON. If the Senator will yield, I should like to say that I wrote to General Taylor and received from him an estimate of the proposed expenditures, which will answer in some detail the question asked by the Senator from North Carolina. The appropriation proposed by the pending bill is \$56,589,910. That appropriation is designed to provide for various improvements under four different heads suggested by the engineers. For instance, the first item is principal seacoast harbors. To take care of the various seacoast harbors under projects already adopted, according to the information furnished me, will take \$19,683,410. We merely appropriate the money, and the engineers consider that the most important expenditure from that appropriation is the item of \$19,683,410 to take care of the improvement of the seacoast harbors. Now, the next item—

Mr. RANDELL. Mr. President, if the Senator will permit me to make a suggestion there, the engineers also add for maintaining those principal seacoast harbors \$7,375,400.

Mr. SWANSON. As I understand, the aggregate for maintenance and improvement is \$19,683,410.

Mr. RANDELL. I beg the Senator's pardon. The two sums must be added together.

Mr. SWANSON. They are added together in the total I have given, as I understand.

Mr. RANDELL. I beg the Senator's pardon. The Senator is mistaken as to that. For improvement the item is \$19,683,410 and for maintenance \$7,375,400.

Mr. SWANSON. I see the Senator is correct. For maintenance there is an estimate of \$7,375,400.

The next heading is "Secondary harbors and coastwise channels." Of course, in their second list they consider the cost of taking care of these, naming specifically the projects and the pages of the report on which you can find out what is said in connection with each project. They will take for improvement \$7,860,900 and for maintenance \$1,509,600. That takes care of that class of work, as I understand.

Mr. FLETCHER. Yes.

Mr. SWANSON. The next most important work is the Lake harbors and channels. The great commerce on the Lakes ought to be taken care of; and, as I understand, in this estimate they furnish to me they itemize the places, the pages of the report where each one can be found, the reasons why they recommend it, and the work done. For improvement they estimate \$1,726,000 and for maintenance \$1,450,800.

The next consideration is the principal rivers, which work has been very much retarded. They name the river, they give the pages of this report where you can find when the project was established, the amount which has been expended on it, the commerce there, the necessity for it, and the reasons are given. To take care of the principal rivers they estimate \$13,726,000 for improvement, and for maintenance \$2,249,000. All those projects have been estimated and some of them maintained to completion.

Mr. NORRIS. Mr. President, has the Senator a list of them there?

Mr. SWANSON. Yes.

Mr. NORRIS. I think it would be interesting if the Senator would read the list and give the amount in the case of each river.

Mr. SWANSON. I will put it in the RECORD.

Mr. FLETCHER. I will say to the Senator that that is all set forth in the hearings before the House committee.

Mr. OVERMAN. I think it ought to go in the RECORD just the same.

Mr. SWANSON. This gives the pages of the report where each one is found.

Mr. NORRIS. I am not so much interested in having that in the Record as I am in having it stated here. It seems to me it would be very enlightening, as going to show the necessity of this appropriation. I should like to know myself what rivers there are and how much was spent on each one.

Mr. SWANSON. In the case of the secondary rivers in connection with the large rivers like the Mississippi and Ohio and others an estimate is given of the amount required for them, the names of the rivers, the amounts, the pages of the report where the survey can be seen, and the amount of commerce, from which we can reach a conclusion as to whether or not the commerce is sufficient to justify the expenditure. The aggregate of that is \$181,820—

Mr. NORRIS. Mr. President, will the Senator yield?

Mr. SWANSON. I will yield in a few minutes.

Those are the secondary rivers. The aggregate of the secondary rivers, as I understand, is \$181,820 for improvement—that is all that is to be spent on these secondary rivers—and, for maintenance, \$826,980.

The aggregate of this \$56,000,000 is made up as follows: For the principal seacoast harbors, \$19,683,410; for the secondary harbors and coastwise channels, \$7,860,900; for lake harbors and channels, \$1,726,000; for the principal rivers, \$13,726,000; for the secondary rivers—which has been to some extent criticized—only \$181,820 is appropriated; total, for improvements, \$43,178,130.

For the maintenance of projects that are already in existence, and that must be maintained to keep up the present status, there is an estimate of \$13,411,780, which, added to the improvement and the maintenance, makes a grand total of \$56,589,910, which is the amount carried in the bill.

Mr. OVERMAN. I wish the Senator would put all of that statement in the Record.

Mr. SWANSON. Does the Senator from Florida object to having it put in the Record?

Mr. FLETCHER. I have no objection.

Mr. SWANSON. I ask to have this statement included in the Record.

The PRESIDING OFFICER. Without objection, it will be inserted in the Record.

The matter referred to is as follows:

Amounts stated in the Annual Report of the Chief of Engineers as those that can be profitably expended during the fiscal year ending June 30, 1924, for maintenance and improvement of river and harbor works, including commerce for 1921.

PRINCIPAL SEACOAST HARBORS.

Locality.	Pages of annual report, 1922.	Improvement.	Maintenance.	Commerce 1921 (tons).
Boston Harbor, Mass.	125-134		\$40,000	9,752,841
Providence River and Harbor, R. I.	179-183	\$325,000		3,926,555
Bronx River, N. Y.	255-259		25,000	417,853
Flushing Bay, N. Y.	262-265		10,000	1,456,888
Jamaica Bay, N. Y.	281-285	600,000		203,734
New York Harbor, N. Y.	288-297	218,000	100,000	22,117,535
Coney Island Channel, N. Y.	297-300		20,000	191,566
Bay Ridge and Red Hook Channels	300-303	50,000		5,145,038
Buttermilk Channel, N. Y.	303-307	175,000	25,000	2,069,129
East River, N. Y.	310-322	3,000,000	25,000	32,071,134
Newtown Creek, N. Y.	324-329	100,000		4,628,396
Harlem River, N. Y.	329-334	250,000		4,680,040
Hudson River Channel, N. Y.	334-340	50,000	50,000	35,168,448
Newark Bay, N. J.	377-380	650,000		674,107
Passaic River, N. J.	383-387		30,000	1,084,714
Hackensack River, N. J.	380-383	100,000		1,453,025
Staten Island Sound	388-391	1,000,000		23,122,843
Haritan Bay, N. Y. and N. J.	391-394	500,000		4,688,014
Haritan River, N. J.	400-403		20,000	585,072
Delaware River, Philadelphia to the sea.	424-432	925,000	2,075,000	15,612,616
Harbor of Refuge, Delaware Bay.	444-445		35,000	
Wilmington Harbor, Del.	480-485	630,000	100,000	463,408
Baltimore Harbor and channels, Md.	517-523	300,000	350,000	11,911,846
Norfolk Harbor, Va.	589-595	500,000	50,000	11,623,673
Thimble Shoal Channel, Va.	595-598	74,500		
Cape Fear River at and below Wilmington	682-687	300,000	200,000	441,471
Savannah Harbor, Ga.	726-731	600,000	460,000	1,545,905
Brunswick Harbor, Ga.	767-771	160,000	70,000	780,522
St. Johns River, Jacksonville to the ocean.	775-781	223,000	380,000	1,925,060
Key West Harbor, Fla.	804-808	40,000	30,000	1,352,280
Tampa Harbor, Fla.	833-841	445,000	50,000	1,321,808
Pensacola Harbor, Fla.	889-892		20,000	457,080
Mobile Harbor, Ala.	907-912	132,000	244,400	1,411,164

¹ All are parts of New York Harbor.

Amounts stated in the Annual Report of the Chief of Engineers as those that can be profitably expended during the fiscal year ending June 30, 1924, etc.—Continued.

PRINCIPAL SEACOAST HARBORS—continued.

Locality.	Pages of annual report, 1922.	Improvement.	Maintenance.	Commerce 1921 (tons).
Southwest Pass, Mississippi River	950-964	\$992,000		
South Pass, Mississippi River	964-968		\$510,000	15,123,085
Galveston Harbor, Tex.	1045-1049		90,000	13,621,173
Galveston Channel, Tex.	1049-1055	670,000	200,000	8,900,553
Galveston Harbor-Texas City Channel, Tex.	1056-1059		150,000	3,661,049
Houston Ship Channel, Tex.	1062-1069	800,000	300,000	2,828,460
Harbor at Port Aransas, Tex.	1120-1125		180,000	458,100
Harbor at Sabine Pass and Port Arthur Canal, Tex.	1130-1135	400,000	400,000	8,197,714
Sabine-Neches Canal, Tex.	1135-1140		150,000	7,103,811
San Diego Harbor, Calif.	1748-1752	135,850		611,817
Los Angeles Harbor, Calif.	1752-1760	760,000		494,059
San Francisco Harbor, Calif.	1763-1768	330,000	10,000	8,382,723
Oakland Harbor, Calif.	1769-1772	200,000	35,000	1,945,422
San Pablo Bay and Mare Island Strait, Calif.	1778-1781	130,000		1,755,327
Coos Bay, Oreg.	1836-1841	1,051,000	150,000	273,205
Columbia and Lower Willamette Rivers.	1890-1896	1,000,000	700,000	7,336,102
Willapa River and Harbor, Wash.	1923-1927	200,000		557,928
Grays Harbor and Bar, Wash.	1927-1930		60,000	636,571
Seattle Harbor, Wash.	1946-1949		10,000	4,117,002
Lake Washington Ship Canal, Wash.	1949-1954	288,000	12,000	1,503,766
Honolulu Harbor, Hawaii.	1978-1980	150,000		1,709,336
Hilo Harbor, Hawaii.	1983-1985	374,000		287,443
Nawiliwili Harbor, Hawaii.	1985-1988	300,000		8,808
San Juan Harbor, P. R.	1989-1994	300,000		674,845
Total.		19,683,410	7,375,400	

SECONDARY HARBORS AND COASTWISE CHANNELS.

Beverly Harbor, Mass.	137-139	\$159,500		260,085
Plymouth Harbor, Mass.	157-160	51,000		51
Pollock Rip Shoals	164-167		\$50,000	
Block Island Harbor of Refuge	189-191	5,000	5,000	13,734
Pawcatuck River	194-197	3,000	30,000	35,311
Connecticut River below Hartford	206-209	50,000		423,572
Duck Island Harbor of Refuge	210-213		44,000	
Bridgeport Harbor, Conn.	222-227	71,000	26,000	
Norwalk Harbor, Conn.	228-230		20,000	115,106
Stamford Harbor, Conn.	230-233			200,081
Greenwich Harbor, Conn.	234-236	6,600	2,100	105,045
Port Chester Harbor, N. Y.	238-242	22,000	3,000	180,951
Mamaroneck Harbor, N. Y.	242-245	103,000		45,125
East Chester Creek, N. Y.	248-251	5,000	15,000	261,883
Westchester Creek, N. Y.	251-255	475,000		470,848
Harbor at New Rochelle, N. Y.	260-262	35,000		114,305
Mattituck Harbor, N. Y.	273-276		5,000	1,324
Tarrytown Harbor, N. Y.	342-344	7,000		74,151
Peekskill Harbor, N. Y.	345-347		5,000	95,580
Wappinger Creek, N. Y.	347-350		5,000	23,228
Rondout Harbor, N. Y.	352-355		5,000	267,673
Woodbridge Creek, N. J.	397-400		6,000	25,559
Keyport Harbor, N. J.	408-410		10,000	9,007
Shoal Harbor and Compton Creek, N. J.	411-413		10,000	86,829
Shrewsbury River, N. J.	413-416		10,000	33,878
Delaware River, Philadelphia to Trenton	419-423		25,000	1,760,220
Mantua Creek, N. J.	450-453	10,000		120,402
Oldmans Creek, N. J.	455-458		10,000	10,791
Maurice Creek, N. J.	464-465		15,000	122,445
Cold Spring Inlet, N. J.	467-469		25,000	6,936
Absecon Inlet, N. J.	469-472	240,000		5,639
Chester River, Pa.	478-480	3,600	1,400	9,673
Chesapeake & Delaware Canal.	485-488	2,500,000		489,064
Smyrna River, Del.	491-493	16,000	5,000	6,909
Leipsic River, Del.	494-496		10,000	10,796
Little River, Del.	496-497		5,000	5,225
St. Jones River, Del.	498-500	45,000	5,000	2,229
Murderkill River, Del.	500-502		10,000	24,109
Mispillion River, Del.	503-505	10,000	5,000	13,029
Broadkill River, Del.	505-508		25,000	7,239
Waterway, Chincoteague Bay to Delaware Bay.	511-513		1,500	30,796
Potomac River at Washington, D. C.	566-570		74,000	891,792
Ocoquan Creek, Va.	572-575		6,700	23,943
Rappahannock River, Va.	577-580		42,700	192,125
Lockles Creek, Va.	587-588	4,100		
James River, Va.	602-605		40,000	288,545
Pagan River, Va.	610-613		2,000	22,418
Waterway, Norfolk-Beaufort Inlet.	622-627	500,000		261,420
Channel, Thoroughfare Bay-Cedar Bay.	665-667		5,000	3,972
Beaufort Harbor, N. C.	667-669		7,500	82,607
Waterway, Core Sound-Beaufort Harbor.	670-672	30,000		24,000
Waterway, Beaufort-Jacksonville, N. C.	672-675		10,000	56,600
Harbor of Refuge, Cape Lookout, N. C.	680-681		20,000	
Winyah Bay, S. C.	699-702		40,000	57,191
Santee River and Estherville-Minin Creek Canal.	707-710		4,000	8,730

Amounts stated in the Annual Report of the Chief of Engineers as those that can be profitably expended during the fiscal year ending June 30, 1924, etc.—Continued.

SECONDARY HARBORS AND COASTWISE CHANNELS—continued.

Locality.	Pages of annual report, 1922.	Improvement.	Maintenance.	Commerce 1921 (tons).
Waterway between Charleston and Winyah Bay.....	714-716	.....	\$18,000	8,258
Wappoo Cut, S. C.....	723-725	.....	2,500	20,683
Waterway, Beaufort, S. C., to St. Johns River.....	740-744	.....	42,000	266,108
Satilla River, Ga.....	750-753	.....	1,800	50,097
Fernandina Harbor-Cumberland Sound.....	771-774	.....	3,000	198,636
Oklawaha River, Fla.....	789-793	.....	3,000	12,021
Indian River, Fla.....	794-797	.....	5,000	8,010
Miami Harbor (Biscayne Bay), Fla.....	799-804	.....	32,500	332,325
Charlotte Harbor, Fla.....	818-820	.....	5,000	303,576
Sarasota Bay, Fla.....	820-823	.....	15,000	5,069
Anclote River, Fla.....	825-828	.....	14,000	12,510
St. Petersburg Harbor, Fla.....	844-847	\$17,000	.....	24,877
Apalachicola Bay, Fla.....	853-856	.....	12,000	15,084
Channel, Apalachicola River-St. Andrews Bay.....	869-871	.....	21,500	3,432
St. Andrews Bay, Fla.....	873-876	.....	2,000	125,157
La Grange Bayou, Fla.....	893-895	28,500	.....	15,891
Pascagoula Harbor, Miss.....	932-936	.....	76,000	184,967
Gulfport Harbor and Ship Island Pass, Miss.....	936-940	.....	116,000	336,667
Bayou Plaquemine, Grand River, and Pigeon Bayous, La.....	993-997	.....	20,000	686,866
Bayou Grossetete, La.....	997-999	.....	5,000	154,467
Bayou Teche, La.....	1000-1004	125,000	.....	279,159
Waterway, Mississippi River to Bayou Teche.....	1009-1012	675,000	.....	.....
Waterway, Calcasieu River to Sabine River.....	1020-1023	500,000	.....	26,671
Bayou Vermilion, La.....	1026-1029	.....	10,000	28,287
Calcasieu River and Pass, La.....	1037-1040	25,800	.....	356,170
Port Bolivar Channel, Tex.....	1059-1061	.....	20,000	373,000
Double Bayou, Tex.....	1072-1075	.....	7,000	5,876
Anahuac Channel, Tex.....	1075-1077	.....	5,000	11,215
Mouth of Trinity River, Tex.....	1077-1079	.....	1,000	8,895
Turtle Bayou, Tex.....	1079-1082	.....	10,000	8,895
Cedar Bayou, Tex.....	1082-1084	.....	5,000	18,700
Clear Creek, Tex.....	1084-1087	.....	4,000	1,549
Dickinson Bayou, Tex.....	1087-1089	.....	5,000	.....
West Galveston Bay-Brazos River Canal.....	1095-1098	.....	5,000	12,165
Channel between Brazos River and Matagorda Bay, Tex.....	1098-1101	.....	10,000	5,077
Channel from Pass Cavallo to Aransas Pass, Tex.....	1105-1108	.....	20,000	79,240
Channel from Aransas Pass to Corpus Christi, Tex.....	1108-1111	750,000	10,000	11,042
Freeport Harbor, Tex.....	1112-1117	.....	100,000	206,329
Johnsons Bayou, Tex.....	1141-1143	.....	3,000	6,918
Richmond Harbor, Calif.....	1773-1777	128,000	.....	18,880
Suisun Bay Channel, Calif.....	1781-1784	.....	13,000	519,532
Petaluma Creek, Calif.....	1789-1792	.....	40,000	173,414
San Rafael Creek, Calif.....	1792-1794	.....	1,000	33,332
Humboldt Harbor and Bay, Calif.....	1797-1802	719,350	108,100	212,000
Noyo River, Calif.....	1807-1808	.....	16,000	.....
Yaquina Bay and Harbor, Oreg.....	1851-1857	139,000	.....	6,838
Umpqua River, Oreg.....	1865-1868	276,500	.....	3,456
Willamette Slough, Oreg.....	1897-1899	23,350	.....	.....
Lewis River, Wash.....	1909-1912	5,600	6,800	63,000
Cowlitz River, Wash.....	1912-1914	.....	6,000	179,000
Skamokawa Creek, Wash.....	1915-1916	.....	2,000	26,477
Grays River, Wash.....	1916-1918	.....	2,000	19,000
Puget Sound and tributary waters.....	1935-1937	.....	30,000	93,880
Waterway, Port Townsend Bay-Oak Bay, Wash.....	1937-1939	.....	5,000	80,747
Swinomish Slough, Wash.....	1959-1962	.....	2,500	24,626
Bellingham Harbor, Wash.....	1963-1965	.....	5,000	514,595
Nome Harbor, Alaska.....	1973-1975	.....	5,000	10,091
Wrangell Harbor, Alaska.....	1976-1977	50,000	.....	.....
Total.....	.....	7,860,900	1,509,600	.....

LAKE HARBORS AND CHANNELS.

Plattsburg Harbor, N. Y.....	370-372	.....	\$1,000	3,951
Grand Marais Harbor, Minn.....	1421-1424	.....	6,000	7,500
Agate Harbor, Minn.....	1425-1427	.....	2,000	3,980,097
Duluth-Superior Harbor, Minn. and Wis.....	1428-1434	.....	50,500	30,083,555
Port Wing Harbor, Wis.....	1434-1438	.....	1,000	893
Ashland Harbor, Wis.....	1438-1441	.....	6,000	3,183,453
Ontonagon Harbor, Mich.....	1441-1444	.....	9,000	80
Keweenaw Waterway, Mich.....	1444-1450	\$7,000	70,500	940,681
Marquette Bay Harbor of Refuge.....	1450-1452	.....	1,000	658,788
Marquette Harbor, Mich.....	1452-1455	.....	1,500	426,829
Grand Marais Harbor, Mich.....	1455-1459	.....	15,000	40
Warroad Harbor and River, Minn.....	1460-1463	.....	4,000	5,387
Zippel Bay, Lake of the Woods, Minn.....	1463-1466	.....	2,000	1,258
Baudette Harbor and River, Minn.....	1466-1468	.....	800	41,188
Manistique Harbor, Mich.....	1470-1473	.....	8,000	249,000
Menominee Harbor and River.....	1473-1476	.....	10,000	472,770
Green Bay Harbor, Wis.....	1477-1480	110,000	10,000	1,146,817
Sturgeon Bay and Lake Michigan Ship Canal.....	1480-1492	.....	33,000	579,800

Amounts stated in the Annual Report of the Chief of Engineers as those that can be profitably expended during the fiscal year ending June 30, 1924, etc.—Continued.

LAKE HARBORS AND CHANNELS—continued.

Locality.	Pages of annual report, 1922.	Improvement.	Maintenance.	Commerce 1921 (tons).
Kewaunee Harbor, Wis.....	1495-1499	.....	\$11,500	192,202
Two Rivers Harbor, Wis.....	1499-1502	.....	8,000	27,160
Manitowoc Harbor, Wis.....	1502-1505	.....	120,000	616,332
Sheboygan Harbor, Wis.....	1505-1508	.....	7,000	436,903
Milwaukee Harbor, Wis.....	1511-1516	\$500,000	118,000	6,431,147
Racine Harbor, Wis.....	1516-1519	.....	9,500	242,551
Kenosha Harbor, Wis.....	1519-1522	.....	5,000	25,589
St. Joseph Harbor, Mich.....	1527-1530	.....	60,000	78,848
South Haven Harbor, Mich.....	1532-1535	.....	13,500	21,179
Grand Haven Harbor, Mich.....	1541-1544	.....	36,000	632,371
Muskegon Harbor, Mich.....	1547-1551	.....	18,500	309,938
Ludington Harbor, Mich.....	1553-1557	.....	150,000	1,830,263
Manistee Harbor, Mich.....	1557-1561	15,000	19,500	40,944
Frankfort Harbor, Mich.....	1561-1564	.....	20,000	1,132,000
Charlevoix Harbor, Mich.....	1564-1567	.....	5,000	18,963
Chicago Harbor, Ill.....	1569-1574	.....	21,000	2,632,343
Chicago River, Ill.....	1574-1578	.....	6,500	.....
Calumet Harbor and River, Ill. and Ind.....	1578-1584	.....	160,000	6,215,989
Indiana Harbor, Ind.....	1585-1589	286,000	38,000	2,395,962
Michigan City Harbor, Ind.....	1589-1593	.....	34,500	5,165
St. Marys River, Mich.....	1602-1610	.....	25,000	48,259,254
Channels in Lake St. Clair, Mich.....	1614-1618	.....	15,000	57,523,481
Detroit River, Mich.....	1619-1624	450,000	10,000	63,973,308
Alpena Harbor, Mich.....	1632-1636	.....	5,000	627,740
Harbor of Refuge at Harbor Beach, Lake Huron, Mich.....	1638-1641	.....	40,000	18,272
Black River, Mich.....	1641-1644	.....	2,500	79,376
Rouge River, Mich.....	1646-1650	.....	8,000	842,350
Toledo Harbor, Ohio.....	1653-1657	.....	50,000	9,202,109
Sandusky Harbor, Ohio.....	1660-1664	58,000	10,000	2,227,220
Huron Harbor, Ohio.....	1664-1668	.....	5,500	2,214,631
Lorain Harbor, Ohio.....	1670-1674	.....	5,000	4,941,882
Cleveland Harbor, Ohio.....	1674-1679	.....	25,000	6,200,362
Fairport Harbor, Ohio.....	1680-1683	.....	5,000	1,945,310
Ashtabula Harbor, Ohio.....	1683-1687	.....	5,000	6,401,667
Conneaut Harbor, Ohio.....	1687-1691	25,000	8,000	7,800,000
Erie Harbor, Pa.....	1692-1697	.....	10,000	2,325,067
Buffalo Harbor, N. Y.....	1700-1708	50,000	21,500	14,752,184
Black Rock Channel and Tonawanda Harbor, N. Y.....	1708-1715	200,000	25,000	1,216,743
Charlotte Harbor, N. Y.....	1722-1726	.....	15,500	575,929
Great Sodus Bay, N. Y.....	1726-1730	.....	25,500	160,612
Little Sodus Bay, N. Y.....	1730-1735	.....	28,500	81,534
Oswego Harbor, N. Y.....	1734-1739	25,000	20,500	377,139
Cape Vincent Harbor, N. Y.....	1739-1741	.....	500	3,058
Ogdensburg Harbor, N. Y.....	1742-1745	.....	2,000	927,760
Total.....	.....	1,726,000	1,450,800	.....

PRINCIPAL RIVERS.

Hudson River, N. Y.....	355-362	.....	\$220,000	1,936,901
Black Warrior, Warrior, and Tombigbee Rivers, Ala.....	916-922	\$64,000	.....	784,967
Ouachita and Black Rivers, Ark. and La.....	1161-1167	400,000	25,000	75,308
Mississippi River:	.....	.....	.....	.....
Between Ohio and Missouri Rivers.....	1220-1225	500,000	500,000	481,151
Removing snags and wrecks below mouth of Missouri River.....	1225-1228	.....	25,000	.....
Between Missouri River and Minneapolis, Minn.....	1229-1238	1,100,000	.....	761,522
Mississippi and Leech Rivers, Minn.....	1255-1258	25,000	.....	36,597
Total.....	.....	1,625,000	525,000	.....
Missouri River:	.....	.....	.....	.....
Kansas City to the mouth.....	1272-1279	1,000,000	500,000	139,544
Kansas City to Sioux City.....	1279-1282	.....	25,000	110,512
Sioux City to Fort Benton.....	1284-1287	.....	15,000	9,164
Total.....	.....	1,000,000	540,000	.....
Cumberland River, Tenn. and Ky.:.....	.....	.....	.....	.....
Below Nashville.....	1299-1304	460,000	.....	263,394
Above Nashville.....	1304-1311	535,000	.....	141,918
Total.....	.....	995,000	.....	.....
Tennessee River, Tenn., Ala., and Ky.:.....	.....	.....	.....	.....
Below Rivermont, Ala.....	1313-1317	122,000	8,000	348,840
Above Chattanooga, Tenn.....	1318-1322	.....	20,000	486,760
Chattanooga to Rivermont.....	1322-1330	255,000	.....	118,385
Survey of.....	1335	200,000	.....	.....
Total.....	.....	577,000	28,000	.....
Ohio River:	.....	.....	.....	.....
Lock and dam construction.....	1351-1367	7,000,000	.....	8,037,788
Open-channel improvement.....	1395-1398	.....	526,000	.....
Total.....	.....	7,000,000	526,000	.....

Amounts stated in the Annual Report of the Chief of Engineers as those that can be profitably expended during the fiscal year ending June 30, 1924, etc.—Continued.

PRINCIPAL RIVERS—continued.

Locality.	Pages of annual report, 1922.	Improve-ment.	Main-tenance.	Commerce 1921 (tons).
Monongahela River, Pa. and W. Va.	1371-1376	\$2,000,000		16,100,824
Fox River, Wis.	1480-1489		\$180,000	285,500
Illinois River, Ill.	1593-1598	65,000	130,000	157,546
Sacramento River, Calif.	1820-1825		95,000	976,506
Total		13,726,000	2,249,000	

SECONDARY RIVERS.

Mattaponi River, Va.	582-584		\$8,000	96,543
Blackwater River, Va.	628-630		2,000	2,544
Meherrin River, N. C.	630-632		2,000	6,858
Pamlico and Tar Rivers, N. C.	644-647		12,000	644
Neuse River, N. C.	652-655		12,000	125,479
Swift Creek, N. C.	657-659		800	13,417
Contentnea Creek, N. C.	660-662		1,500	60
Trent River, N. C.	662-664		1,500	67,878
Cape Fear River above Wilming- ton	687-690		12,000	49,621
Northeast (Cape Fear) River, N. C.	690-693		4,000	36,590
Black River, N. C.	693-696		2,000	2,989
Congaree River, S. C.	710-712		10,000	10,000
Savannah River below Augusta	731-734		22,000	77,399
Savannah River at Augusta	735-737		2,000	
Savannah River above Augusta	737-739		1,000	323
St. Marys River, Ga. and Fla.	753-756		1,800	30,179
Altamaha River, Ga.	757-760		15,000	139,410
Oconee River, Ga.	760-763		12,500	93,721
Ocmulgee River, Ga.	763-766		12,500	60,442
St. Johns River, Palatka to Lake Harney	784-787		10,000	171,086
Kissimmee River, Fla.	809-812		5,000	2,215
Caloosahatchee River, Fla.	812-817		35,000	46,485
Water hyacinths in Florida waters	848-850		10,000	
Apalachicola River, Fla.	856-860	\$15,000	10,000	50,276
Flint River, Ga.	863-868	45,000	10,000	12,896
Chattahoochee River, Ga. and Ala.	866-869	35,000	90,000	5,373
Choctawhatchee River, Fla. and Ala.	877-879		7,000	43,418
Holmes River, Fla.	880-882		1,680	563
Blackwater River, Fla.	884-886		25,600	13,152
Escambia and Conecuh Rivers, Fla. and Ala.	886-888		3,200	9,763
Alabama River, Ala.	895-899	75,000	47,000	13,650
Cocosa River, Ga. and Ala.	899-904		5,000	11,314
Tombigbee River, mouth to De- mopolis	922-925		18,000	619,391
Tombigbee River, Demopolis to Walkers Bridge, Miss.	926-929		4,000	27,883
Pascagoula River, Miss.	941-943		10,000	77,095
Water hyacinths in Alabama	952-955		2,500	
Water hyacinths in Louisiana and Texas	1041-1044		30,000	
Red River below Fulton, Ark.	1158-1161		100,000	13,049
Tensas River and Bayou Macon	1168-1170	4,200	5,000	6,709
Boeuf River, La.	1170-1172		5,000	1,495
Bayou Bartholomew, La. and Ark.	1173-1174		2,500	1,805
Saline River, Ark.	1174-1176		2,000	5,080
Bayous D'Arbonne and Corney, La.	1177-1179		2,000	1,660
Yazoo River, Miss.	1181-1183		16,000	118,452
Tallahatchie and Coldwater Rivers	1185-1187		10,000	5,291
Big Sunflower River, Miss.	1187-1191		12,000	39,182
Steele and Washington Bayous and Lake Washington, Miss.	1191-1193		2,500	4,662
Arkansas River, Ark. and Okla.	1197-1202		35,000	32,780
White River, Ark.	1203-1206		22,500	171,044
Black River, Ark. and Mo.	1207-1209		15,000	66,630
Current River, Ark. and Mo.	1209-1212		4,500	16,614
St. Francis and L'Angeuille Rivers and Blackfish Bayou, Ark.	1212-1216		9,000	320,242
Red Lake and Red Lake River, Minn.	1269-1271	3,000		
Osage River, Mo.	1290-1294		10,000	50,700
Allegheny River, Pa.	1377-1379		5,000	123,065
San Joaquin River, Calif.	1810-1815		26,000	646,657
Stockton and Mormon Channels (diverting canal), Calif.	1815-1817		5,000	
Mokelumne River, Calif.	1818-1820		800	88,320
Cosos River, Oreg.	1842-1844		3,000	13,021
Columbia River and tributaries above Celilo Falls to mouth of Snake River	1873-1877		13,500	
Snake River, Oreg., Wash., and Idaho	1877-1881		13,000	26,861
Clatskanie River, Oreg.	1900-1902	4,620	4,500	141,019
Willamette River above Port- land, and Yamhill River	1903-1906		29,600	1,187,896
Yuba River, restraining barriers	1998-2002		15,000	
Total		181,820	826,980	

Amounts stated in the Annual Report of the Chief of Engineers as those that can be profitably expended during the fiscal year ending June 30, 1924, etc.—Continued.

RECAPITULATION.

	Improve-ment.	Main-tenance.
Principal seacoast harbors	\$19,683,410	\$7,375,400
Secondary harbors and coastwise channels	7,860,900	1,509,600
Lake harbors and channels	1,726,000	1,450,800
Principal rivers	13,726,000	2,249,000
Secondary rivers	181,820	826,980
Total	43,178,130	13,411,780
Grand total	56,589,910	

Mr. SWANSON. Mr. President, I have heard so much criticism of river and harbor bills, and it has been charged so often that there was a "pork barrel" connected with it, that I have taken occasion in the case of some of these rivers that I did not know about to look and see the commerce, the amount expended, and so forth, and I can not see where there is any waste of money in any of the projects that I have examined. Of course, I could not examine all of them, but if the Senator will take some one project, instead of speaking in a general way, and examine that project, the amount of commerce, the accommodation of the people, and the amount expended for what little work we have done in the past, I think he will agree with me that this is a very reasonable expenditure at this time.

I have examined especially some of the rivers included in the list of secondary rivers. I find a great many of these where it is impossible to build roads, where there are no railroads, where the people would not have any means of transportation at all unless there were transportation by water. The Government spends money for roads. If it were a section of the country where we had to have a road built by the State and Federal governments in cooperation, it would cost a great deal more than it would cost to improve these rivers. They are the only means of transportation in these sections.

Instead of making a general attack on this bill, I wish Senators would look at the various items, the amounts appropriated, the records of the engineers, the surveys, the estimate of the amounts required for maintenance, the number of people interested, the commerce that exists at present and what will be engendered in the future. In the light of those things, it seems to me that this is a very wise expenditure of money, and it seems to me that most of the measures that were the subject of criticism and adverse comment heretofore have been eliminated from this bill.

Mr. NORRIS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Florida yield to the Senator from Nebraska?

Mr. FLETCHER. I yield to the Senator. I had just about finished what I had to say, but if the Senator wants to ask a question, I will yield.

Mr. NORRIS. The Senator from Virginia [Mr. SWANSON], in his interruption, has suggested several things that are interesting and that I think ought to be presented in a more detailed way than he has presented them. To say that so many millions are appropriated for one class of rivers and so many for another class of rivers is very indefinite.

Mr. FLETCHER. They are all itemized.

Mr. NORRIS. I know, but we have not heard the items. What good does it do to have the statement printed in the RECORD after we have voted on it?

Mr. FLETCHER. I shall be glad to read the items if the Senator desires.

Mr. NORRIS. We get the information after we have decided the question. It is like getting your verdict first and trying your lawsuit afterwards.

I was exceedingly interested in personal observation of some of these rivers. I remember some time ago when, as a member of the committee representing the Senate, I went down to examine the Muscle Shoals project, and in order to go up to the property owned by the Government near a coal mine in the mountains we had to go by river. We went on a Government boat that plies up and down that river all the way to New Orleans, I think. On that trip I went over the business with the captain of the vessel, and I was exceedingly interested in the business he was doing and the handicaps to which he was subjected. I can not give the figures now, but I remember the proportion of the figures. He went to New Orleans and loaded his boat with various kinds of produce and brought them up the

river to within, I think, about 50 miles of Birmingham, Ala., on the Warrior River. They shipped a good deal of stuff to Birmingham, and among other things was the item of coffee, I remember. He told me the freight rate by rail on coffee before the Government boat was built during the war. The Government was operating it there because it had no other use for it. It was not the only boat. There were several of them. He gave me the original freight rate on coffee by rail from New Orleans to Birmingham, Ala. Then they put on this vessel. They hauled coffee from New Orleans destined to Birmingham, and they hauled it on the boat to within, I think, 50 or 60 miles of Birmingham, where it had to be unloaded and put on a train.

Mr. McKELLAR. About 20 miles.

Mr. NORRIS. Is that all?

Mr. McKELLAR. And the coffee came from Mobile instead of from Birmingham, I think.

Mr. NORRIS. This, I think, came from New Orleans.

Mr. McKELLAR. I may be mistaken about that.

Mr. NORRIS. I think I remember that pretty distinctly. Now, as soon as that boat was put on the railroads cut down the freight rate on coffee from New Orleans to Birmingham very materially, but when this Government boat carried coffee from New Orleans up to a point almost within sight of Birmingham it had to utilize the railroad to get the coffee into Birmingham. That freight rate had to be divided. I have forgotten now the price and the proportion of the division, but for this little haul the railroad got very much more than half of the cost of transportation.

Mr. RANDELL. Mr. President, if the Senator will permit me—

Mr. NORRIS. Yes; I shall be very glad to have the Senator say what he remembers about that matter.

Mr. RANDELL. My recollection is that the railroad got 80 per cent of it and the river got about 20 per cent of it.

Mr. NORRIS. The proportion was 80 and 20, was it?

Mr. RANDELL. I think it was.

Mr. NORRIS. It was something like that.

I use Birmingham as an illustration, and I use coffee as an illustration. Of course, you must understand that they are only illustrations. They only demonstrate what is done with all other kinds of freight that the boats carry. Notwithstanding that division, which gave the water transportation almost nothing and the railroad pretty nearly all of it, they were about breaking even on expenses, and in the expenses they counted the overhead of the cost of that vessel, which was built during the war at a price double what it could be duplicated for now. If I am wrong about any of these things, I shall be glad to be corrected by the Senator from Louisiana, who heard at least a part of this conversation with the captain. I had several. I think, however, I remember distinctly his telling me—and he gave the cost, how much he could have that boat built for in a first-class establishment and how much it actually cost during the war—that if they would capitalize that vessel at what it was worth, and what it would cost to build another one just like it, he would have been making money for the Government on the transaction, notwithstanding the awful handicap that he was up against.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. NORRIS. I yield.

Mr. McKELLAR. The Senator knows that that river service is under the same direction and control that the Mississippi River is under—the Mississippi-Warrior Barge Line?

Mr. NORRIS. Yes.

Mr. McKELLAR. The statement that the Senator has made about the Warrior River applies to the Mississippi River, and with a great deal more force, for the reason that the Mississippi River Barge Line has been uniformly not only breaking even but making money, and sufficient money to overcome any loss that has been made on the Warrior Barge Line. They had an accident last fall, but they are now making money, and they are transporting freights, especially heavy freights, at very much lower prices than the railroad. Of course, wherever there is a division between the railroad and the river lines, the railroad gets the large share of the freight; but enormous quantities of freight are being shipped up the Mississippi River and the Warrior River, just as the Senator has said, and I am glad to hear him refer to it.

Mr. NORRIS. I am giving this as an illustration, on the theory that it applies to all similar conditions of shipping.

Mr. President, there were two objections even to continuing this service. First, it was Government operation, and there are some people—very nice people—who are so opposed to Government operation that they would not have anything to do with Government operation even if it saved their souls from immortal terror. This boat was operated by the Government,

and some were in favor of discontinuing it because it is operated by the Government, and others are in favor of continuing the handicap because they would be glad to see Government operation of anything fail. I know a Senator who is so much opposed to Government operation that he will not eat down in the Senate restaurant.

Mr. RANDELL. Will the Senator yield?

Mr. NORRIS. I yield.

Mr. RANDELL. The Senator's argument appeals to me, and I wish to corroborate, in substance, what the Senator has said. I think he has stated the case fairly. I am not certain as to the exact percentages, but my recollection is that, although the boat going from Mobile to Birminghamport, which is a little port of the city of Birmingham, would travel 380 miles and the railroad would have to carry the freight about 20 miles, that the boat would receive 20 per cent of the freight paid and the railroad would receive 80 per cent of the freight paid. Of course the distance the freight was carried by the railroad was ridiculously short as compared with the distance it was carried by the boat.

Mr. NORRIS. I think the Senator from Tennessee was wrong and that the Senator from Louisiana is wrong in dividing the distance. Let me ask the Senator from Alabama [Mr. UNDERWOOD] how far Birmingham is from the Warrior River.

Mr. UNDERWOOD. The center of the city of Birmingham is about 18 miles from it.

Mr. NORRIS. Then the Senator is right.

Mr. RANDELL. I said about 20.

Mr. UNDERWOOD. Of course Birmingham runs out in that direction about 6 miles to Ensley, so that there is a part of the city which is within 12 miles of the river.

Mr. NORRIS. I think the Senator is right in the other figure he gave, 380 miles.

Mr. RANDELL. The railroads are making a very unfair division of rates with the boats; and, if I am correctly informed, the authorities in charge of that line have for three years had the question of a fair division of rates on that line up with the Interstate Commerce Commission, and have not been able to get it adjusted yet. Why the Interstate Commerce Commission are keeping it before them so long I do not know, but they have it before them.

Mr. NORRIS. I think the same captain whom I asked why they submitted to such a division told me that some legislation on the part of Congress was needed. That is what I rose to speak about, and what I have said is only preliminary. It is an exceedingly interesting question. I would not be opposed to making Federal appropriations for the improvement of rivers if they were utilized according to the theory advanced whenever we are making the appropriations; but to permit our own Government, which is plying its boats up and down these rivers, to be "skinned to death" by the railroads when they come to divide the freight return is almost abhorrent. If we are going to do that, we ought to cease appropriating money.

Mr. RANDELL. I understand the Interstate Commerce Commission has authority to adjust those rates and make a fair division between the water carrier and the rail carrier. Of course, the Interstate Commerce Commission is a court, and those are very intricate and difficult questions. It has been working on those questions and has taken a great deal of testimony, I understand, and I assume it is going to render a fair decision. I understand it has the power, and if it does not have it, then I am absolutely with the Senator from Nebraska in his suggestion that we ought to legislate. I do not believe that we need any more legislation; I believe that we need proper administration of the law we have. If we can get that, we will get a fair division of rates between the rail and water carriers.

Mr. NORRIS. We have been going on this way for years. In this case it happens that we are dealing with the Government, but I would say the same thing if it were a private corporation operating the boats, namely, that it does not take a student to tell that the division the Senator has mentioned and which I have mentioned is unfair. There is no necessity of getting an expert to tell that at least that is not right; but that is going on now, and has been for several years, at least. It seems to me that when we are appropriating money for the improvement of harbors and rivers, it is a good time, while we are doing it, to protect the very navigation we are providing for, which we are not doing now.

Mr. RANDELL. That is true. I want to be just to the commission and to the barge line as well. I believe, along that same line, there is an adjustment of rates on the Mississippi. I think they have the lines joined, although I am not positive as to that. There has been a great controversy as to the Mississippi and the Warrior, and Senators can see that it is a most difficult question.

Mr. NORRIS. There is some technicality which I think a witness before the committee called to my attention.

Mr. UNDERWOOD. If the Senator from Nebraska will allow me just a moment—

Mr. NORRIS. I yield.

Mr. UNDERWOOD. Permit me to state the real question involved here. I am not here trying to run down the railroad interests, but it is just as natural for a railroad management to try to put water transportation out of business as it is for a dog to chase a cat.

Mr. NORRIS. I think so.

Mr. UNDERWOOD. They have been doing it for 40 or 50 years. The difficulty is that these transportation lines, especially on the Warrior, in the first place would not make a joint rate through from New York or New Orleans, and when they were forced to do that, then they would not make the terminal joint rates, giving through bills of lading, and so forth, and when they were forced to do that the railroad took all the joint rate, or practically all of it.

The division is not 20 and 80 per cent. I think, on the average, where the joint rate through from New Orleans would be 5 cents the water route gets less than half a cent. An old railroad man who knows the business and knows of the transaction told me yesterday that these barges go from the Birmingham district loaded with coal to New Orleans. Of course, to make it pay they must have a return cargo. They come back partly loaded with coffee from New Orleans for Birmingham. That is unloaded at Tuscaloosa instead of at Birmingham port, Tuscaloosa being about 60 miles away. The return rate on the coffee was 43 cents, he told me. There was a transfer charge at Mobile which took out about 5 cents, leaving a net rate of 38 cents, and the railroad took the entire 38 cents, leaving nothing to the Government barge line.

I did not intend to bring that up now, but the Interstate Commerce Commission, a Government commission, has the absolute authority to fix this rate, and this is a Government proposition. The Secretary of War, so to speak, is the president of this barge line, because it is under his direction. Yet they allow a Government organization, to wit, the Interstate Commerce Commission, to sit here and permit a private corporation, a railroad, to take away the entire freight and make no division with the Government operation at all. No legislation is needed. It is entirely within the Government's hands to correct this matter if it will. I do agree with the Senator, however, that if our own Government will not protect its own operation, then there ought to be an investigation of somebody or there should be legislation to make them do what is right.

Mr. NORRIS. Mr. President, the Senator has said in reality what I was trying to say, and said it much better. If the Government will not see that a fair division of the charges for traffic is made between water transportation and rail transportation, there is no use in our improving rivers and harbors, especially our rivers. This is something which has been going on for years; and if it were allowed to continue indefinitely, like Jarndyce versus Jarndyce, any corporation, except a Government corporation, would be put out of business, because it would become bankrupt before justice could be rendered.

I can not understand, to begin with, how they could start in with that kind of a division of the rate. Who made the division to begin with, and why is it that all of it is going to the railroad and none of it to the boat, which carries the freight about five-sixths of the distance and does most of the work in connection with it?

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. NORRIS. I yield.

Mr. McKELLAR. Such a discrimination has been practiced by the railroads against the Warrior Barge Line service that the line has not made money. I think it is due almost entirely to the fact of these discriminatory rates which have been put into effect by the railroads joining the river with Birmingham. It can not make money under the present division. For that reason they are even talking now about discontinuing that line.

Mr. NORRIS. Of course, that is the next thing. That is what they want.

Mr. McKELLAR. I feel interested in it for the reason that on the Mississippi River, on which I live, that sort of a condition does not apply, in the first instance, because there is a volume of trade which goes on between the cities right on the bank of the river; and, of course, the railroads, on the direct business, have no right to any part of the rate. But, at the same time, it affects the Mississippi Barge Line, because heavy freights, like molasses and sugar and coffee, come up from New Orleans to cities as far away as Nashville, which is about 264 miles from Memphis, and cities that far away take advantage of the barge line and have these heavy freights come up on the

barge line as far as Memphis and then pay the regular rate from Memphis to Nashville in addition to the river rate and get their goods cheaper.

The Senator has put his finger right on the sore place, so far as the barge lines are concerned. A fair division of rates between the barge lines and the railroads would make those two barge lines of wonderful value to the people along their routes, and I think there should be an investigation, and, if necessary, there should be legislation by Congress, directing how these divisions of rates should be made as between the barge lines and the railroads.

Mr. NORRIS. Mr. President, the Senator says this barge line on the Warrior does not pay.

Mr. McKELLAR. I am so informed, and the reason is that there is discrimination.

Mr. NORRIS. I am not disputing the statement. There is a reason in addition to the one the Senator has stated, which I gave a while ago. I do not know whether the Senator was in the Chamber at the time or not. I have been told that notwithstanding the discrimination, notwithstanding the small part of the rates given to the boats, whenever they have to divide it with the railroad, they still would make money if the boats which are doing the work were capitalized at their fair value.

Those boats were all built during the war for war purposes. They are fine vessels, and they are well equipped for the business in which they are engaged. They were built for that, but they were built at war prices. They cost, in round figures, twice what they are worth now. I think 50 cents on the dollar would be a fair value for them, and I am not saying anything against the boats when I say that. They are modern in every respect; but the cost of them during the war was twice what it would be now. They are compelled, in making their returns, in discovering whether they make a profit or a loss, to carry those vessels at their actual cost to the Government during the war. Of course, all the freight they carry is not subjected to this discrimination, and that is one reason why there is a difference between the illustration of the haul from New Orleans to Birmingham, part water and part rail, and traffic on the big Mississippi River. Wherever freight is delivered to a city located on the bank of that river there is no division; the boat gets it all. Of course, they make more money, and they do not have to give the bulk of it to a railroad. On the Mississippi they do not have to divide with a railroad at all between New Orleans and the great city of Memphis, or any other river port.

Mr. McKELLAR. St. Louis, for instance.

Mr. NORRIS. This discrimination applies only where it is part rail and part water, and, as a matter of fact, a large percentage of the traffic is of that kind, as illustrated by the city of Birmingham, one of the largest cities in the South, where there is an immense amount of freight coming and going. They can not get to Birmingham without utilizing the railroad.

Mr. McKELLAR. Mr. President, may I make a suggestion? While it is true that the Warrior River line did not make money, according to the figures to which the Senator refers, at the same time the Mississippi River line, under the same management and control, made enough profits to make both ventures profitable.

Mr. LENROOT. Of course, the Senator would admit that if it is to be a continuing loss, the fact that one line makes money and the other line does not is not sufficient reason for keeping up the losing line. I think it is due to the division of rates.

Mr. McKELLAR. In this connection I want to call the Senator's attention to the fact that that shows what kind of rates the people along the Warrior River would have to pay if it were not for the barge line. As the Senator from Nebraska well said, the railroads put in another rate on coffee so as to compete with our line, and that was a benefit to the people of that section.

Mr. LENROOT. With reference to that situation, I do not think any investigation is necessary. I do not think any legislation is necessary for the Warrior River situation. The committee considered it very fully a year ago. A case was then pending before the Interstate Commerce Commission. It is my understanding that the case has been fully argued—

Mr. McKELLAR. It is still pending.

Mr. LENROOT. The decision is being awaited and has been awaited for six months or more. It would seem to me that if the Senators who are especially interested in the matter would ask the commission to expedite it they might get a very much earlier decision.

Mr. McKELLAR. I can assure the Senator I shall do that right away.

Mr. UNDERWOOD. I can assure the Senator from Wisconsin that the Senators who are interested in the division of freight rates have been very diligent in their efforts to get an

early decision. What is the reason for the delay I can not say. I can not attempt to criticize the commission, because I do not know the reason for the delay, but I do know with the Government operation on the one hand and the railroads on the other absolutely taking practically all of the freight rate, if the Government can function at all it is time to be doing something.

Mr. LENROOT. I entirely agree with the Senator. Certainly the matter ought not to run another year before decision. We ought to have the decision at the earliest possible moment.

Mr. McKELLAR. Before the Senator leaves that point, if after the decision comes for any reason they claim they have not the necessary power to make a proper division, I assume the Senator, of course, would be willing to vote to grant to the commission power to make a proper division?

Mr. LENROOT. Oh, of course.

Mr. McKELLAR. I think they have full power.

Mr. LENROOT. I have not any doubt of the power of the Interstate Commerce Commission to fix the division under existing law.

Mr. McKELLAR. Nor have I any doubt about the power of the commission, but I can not understand why it takes so long to decide a particular case.

Mr. LENROOT. Mr. President, with reference to the pending amendment, if we may return to it, I think it is subject to a point of order, because I can not find that the appropriation proposed is authorized by any existing law. However, I am not going to make the point of order. It has been fully debated, and I am willing that it should be voted upon.

But I do want to emphasize the precedent that the Senate would establish if the amendment were adopted. We would have, in the first place, an appropriation for which there is no authorization in existing law. Under the lump-sum appropriation the Board of Engineers would not have the right to expend the sum upon the improvement which the amendment seeks to require them to expend. In the second place, as a matter of commerce and navigation—and that is the only thing that has any bearing so far as the bill is concerned—the appropriation can not be defended for one single moment.

I asked what the commerce was upon this part of the river from Sioux City to Fort Benton. I find that in 1903 the commerce was 37,000 tons; in 1904, 28,000; in 1905, 52,000; in 1906, 43,000; in 1907, 45,000; and in 1921, 9,164 tons. In 1912 Congress adopted a project for the improvement of the river which contemplated the expenditure of from \$75,000 to \$150,000 each year for a period of five years. Under that authorization, which has been completely exhausted, there has been expended \$582,972.

Mr. STERLING. That is the project from Sioux City to Fort Benton.

Mr. LENROOT. Yes. Of course, I did not mean the particular spot which has been under discussion. There has been expended \$582,972, which has not increased commerce one single pound but has resulted, not because of the improvement but because of other causes, in a constantly decreasing commerce. What was it that the board of engineers say with reference to the improvement, to which the Senator from South Dakota takes exception? They said in their annual report:

The expenditures on this section have averaged about \$90,000 per annum for the past few years, and there has been no commercial development as a result of this expenditure, but, on the contrary, the commerce has declined very materially, so that the benefits to the general public are incommensurate with the outlay involved, and there seems to be little prospect of better returns in the near future.

Mr. McCUMBER. Will the Senator state what they said with reference to the commerce between Kansas City and the mouth of the Missouri?

Mr. LENROOT. It would take me a moment to find it.

Mr. McCUMBER. And how much they have had there? I would like to have the Senator also state what it consists of.

Mr. CURTIS. Mr. President, while the Senator from Wisconsin is looking up the figures will he yield to me to present a unanimous-consent request?

Mr. LENROOT. Certainly.

Mr. CURTIS. I ask unanimous consent that when the Senate concludes its business to-day it take a recess until 11 o'clock to-morrow morning.

The PRESIDING OFFICER (Mr. Ladd in the chair). Is there objection? The Chair hears none, and it is so ordered.

Mr. LENROOT. Replying to the question of the Senator from North Dakota, the commerce was 139,444 tons.

Mr. McCUMBER. Of what did it consist? I know what it was, but I would like to have the Senator state.

Mr. LENROOT. I will state from my general recollection that it was sand and gravel that comprised the larger part of the tonnage.

Mr. McCUMBER. It was practically all sand that was used for building purposes.

Mr. LENROOT. I think that is true. But the point I am making, with reference to the stretch of river covered by the Senator's amendment, is that we have expended there over half a million dollars. The commerce has been constantly declining upon the stream until this year it was 9,164 tons as against between 30,000 and 40,000 tons 20 years ago.

Mr. WALSH of Montana. Mr. President, I inquire of the Senator if he would not find exactly the same situation with reference to the Mississippi River?

Mr. LENROOT. I think on the upper Mississippi that is true.

Mr. KING. Is not that true of the lower Mississippi?

Mr. LENROOT. I do not know as to the tonnage.

Mr. McKELLAR. What was the statement the Senator made?

Mr. LENROOT. I said there had been a decline in tonnage on the upper Missouri from between 30,000 and 40,000 tons to 9,000 tons, and I was asked whether the same proportion was not true of the Mississippi. I said I did not think that it would apply to the lower Mississippi.

Mr. McKELLAR. It would not apply to that part of the Mississippi River between St. Louis and New Orleans. On the contrary, the increase there has been phenomenal.

Mr. WALSH of Montana. But it is indisputable that from St. Paul down the decline has been at least proportionate.

Mr. LENROOT. The commerce from St. Paul down to St. Louis has practically ceased. I want to say to the Senator that I am just as much opposed to making large appropriations for the improvement of the Mississippi River under present conditions as I am to making appropriations for the improvement of any other stream.

Mr. BROUSSARD. Mr. President—

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from Louisiana?

Mr. LENROOT. I yield.

Mr. BROUSSARD. I wish to ask the Senator whether, in his consideration of the subject, he has not ascertained it to be a fact that whenever a river is improved so as to make it navigable the railroads paralleling it allow what are commonly known along the river as water rates, in order to reduce their freight rates below the point where it would pay to operate a water-transportation line, and that therefore the money expended in the improvement of the rivers is reflected in the benefits which the people thus get who pay the freights, and they thus receive a benefit as a direct result of the improvement of the river?

Mr. LENROOT. I have very fully investigated that matter. I am quite familiar with the situation. It is true, or has been true, generally speaking, that where we have water competition the railroad rates were made so low, as long as competition lasted, as to drive water transportation out of business. But, Mr. President, to make enormous appropriations out of the Treasury of the United States for that purpose alone can not be defended for one single moment. That is to say, if the railroads can make a rate that is a fair rate of return so low that it is more profitable to ship by rail than by water, then we can not justify water transportation.

The trouble is and has been that railroads have made rates so low that in themselves they are lower than they ought to be to pay their fair share of operating expenses of the roads and a fair return on the investment. But there, again, whenever a railroad makes such a rate too low to pay its share of operating expenses, while it is a benefit to the people who are using that railroad, it is an injury to every other user of the railroads, because their rates then must be just that much higher than they ought to be, in order to make up the loss in this particular direction.

Mr. CARAWAY. Mr. President, I want to ask the Senator a question, if he will permit me.

Mr. LENROOT. Certainly.

Mr. CARAWAY. The Senator said the traffic on the upper Mississippi River was disappearing. Did the Government barges which were at one time constructed to operate above St. Louis go into operation?

Mr. LENROOT. They did not. They were taken to the lower part of the Mississippi River.

Mr. UNDERWOOD. I understand those barges are still in the hands of the companies that contracted to build them, and that the contract has never been canceled. Of course, up to this time, although the barges have not been used, the company has complied with the terms of the contract; so they are tied up, doing nothing at present.

Mr. WADSWORTH. Mr. President, may I interrupt the Senator?

Mr. LENROOT. Certainly.

Mr. WADSWORTH. The Senator spoke of the upper Mississippi River and its declining commerce. The proposal of the engineers under the \$56,000,000 river and harbor appropriation is that \$1,100,000 be spent for new work on the upper Mississippi. It is not a very cheerful prospect.

Mr. KING. How much for maintenance?

Mr. WADSWORTH. None for maintenance.

Mr. LENROOT. On the upper Mississippi it is all under the head of new work, because it is new work that maintains the river. I do not think there is any such thing as dredging upon the upper Mississippi.

Mr. KING. However, if I understand the Senator, there is \$500,000 for maintenance upon the Missouri River within the State of Missouri, and a considerable amount over a million, perhaps a million and a half, for improvements?

Mr. LENROOT. I do not remember the exact figures.

Mr. WADSWORTH. The amounts are \$1,000,000 for improvement and \$500,000 for maintenance.

Mr. KING. Then, the \$1,500,000 could be spent on the river in Missouri, where concededly the commerce has been declining for the past 50 or 60 years, until for many years there has practically been no commerce upon the river between the points referred to; that is, Kansas City and St. Louis.

Mr. WALSH of Montana. Mr. President, if the Senator will suffer a further interruption, the question really is as to where the \$1,500,000, the \$15,000, and the \$25,000 which are going to be spent on the Missouri River shall be expended; whether the \$1,500,000 shall be spent between Kansas City and the mouth of the river, where the commerce is equally declining, and but \$25,000 and \$15,000 shall be spent above Kansas City. That is the question that the Senate is called upon to determine.

Mr. LENROOT. That may be, but it is fair to say, with reference to that question, that the expenditure of \$1,000,000 on the Missouri River from Kansas City to the mouth can not, it seems to me, be thought of for a moment by anybody except upon the theory that here is an existing project for a completed improvement of the Missouri River from Kansas City to the mouth which is to give, I believe, an 8 or 9 foot channel.

Mr. WALSH of Montana. But let me call the attention of the Senator to the fact that that is what the engineers propose to do.

Mr. LENROOT. Yes; there is an adopted project. The Senator must see that there is a big distinction between a stretch of a river, its lower part, with an adopted project for an adopted improvement at a fixed expenditure of money that will make that river susceptible of navigation, and a proposition as to which there is no existing project, as to which there is no estimate of any kind, as to how much money would be required to make the river navigable. That is just the difference between the Kansas City proposition and the upper Missouri proposition.

I am frank to say that I do not believe we ought to expend that \$1,000,000 upon the lower Missouri. I have said a great many times upon this floor that I think we ought to complete the improvement of and put in the most perfect shape possible the Mississippi River from St. Louis to its mouth; and that we ought to complete the Ohio River, so that we shall have a system of navigation extending the full length of the Ohio and from St. Louis to the mouth of the Mississippi. Then I maintain that if that should not be a commercial success it would be a pure waste to expend further money on the Missouri River, on the Mississippi River, or on any other rivers similarly situated.

Mr. KING. Will the Senator accept an amendment or vote for an amendment to this effect:

Provided, That no part of this sum—

Referring to the \$56,000,000 plus—

shall be expended upon the Missouri River between the city of St. Louis and the city of Kansas City?

Mr. LENROOT. No; I would hardly wish to go that far.

Mr. KING. I shall offer such an amendment, and I hope the Senator from Wisconsin will vote for it.

Mr. LENROOT. I would, however, vote for an amendment providing that no part of the money should be expended for improvements other than maintenance on that part of the river. I should not wish to go so far as to say that we ought to let the river get in worse shape each year than it now is so long as we have the existing projects.

Mr. President, it was stated by the Senator from North Dakota [Mr. McCUMBER] that last year there were only 9,000 tons of commerce upon this part of the river, embracing a dis-

tance of something like 1,000 miles. It was stated, however, that we had hard times last year, and commerce decreased for that reason.

Mr. McCUMBER. And there have been hard times for several years past.

Mr. LENROOT. Well, I will go back to a period when we did not have very hard times and see what the commerce then was. The year 1916 was not a period of hard times, as I recollect.

Mr. WALSH of Montana. Mr. President, if the Senator from Wisconsin will suffer an interruption, I will remark that the tonnage reflects exactly the productiveness of the fields in those sections. The year 1916 was a productive year and the tonnage was 22,151. Then came the seasons of drought in 1917, when the tonnage was 6,285; in 1918, when it was 3,986; in 1919, when it was 1,572; in 1920, when it was 3,261. Conditions improved last year and the traffic was 9,164 tons. As the country develops and as we have fair seasons the traffic increases.

Mr. LENROOT. Does the Senator dispute the figures that I have read as to the commerce of 20 years ago, when 25,000, 30,000, 35,000, and nearly 40,000 tons a year were transported?

Mr. WALSH of Montana. I am sure the Senator will find that the traffic 40 years ago was even more than it was 10 years ago.

Mr. LENROOT. That may be, but, of course, the reason the traffic was so heavy a half century ago was because there was no railroad communication at all and the river was the only way by which goods could be transported through those sections of country. However, for the past 20 years there has been no change so far as railroad accommodations are concerned, and one would naturally expect that the country has grown in 20 years. There are greater areas in production now than there were 20 years ago, and yet the commerce on the river has declined instead of increased.

Mr. STERLING. Mr. President, will the Senator from Wisconsin contend that because there is now railroad communication and products are shipped by railroad therefore we should let the river remain filled up and unnavigable? Will it not be of interest and benefit to producers that they have a navigable river there by which they can transport their commodities if railroad freights become exorbitantly high?

Mr. LENROOT. Mr. President, again I wish to get back to the railroad question. The idea that we are going to regulate railroad rates by large appropriations out of the Treasury for waterway improvements is a fallacy, and it seems to me that we ought to have passed the stage where we would make any such argument. If there were no way to regulate railroads, if we had no power of regulation, that argument might well be made, but when we have a Government agency whose duty it is to see to it that railroad rates shall not be exorbitant and that they shall be reasonable, I do not know how anyone can argue that for the purpose of bringing railroad rates down—and for that purpose alone—we should expend these tremendous sums out of the Treasury of the United States.

There is just one situation, Mr. President, where we are justified in expending large sums out of the Treasury, and it exists in every part of our country, and that is where water transportation can be carried on not only cheaper than railroad transportation, with just and fair rates, but where the cost of the improvement will be commensurate with the saving made in the rates. There are to-day, in the case of some rivers in this country, improvements upon which we are paying each year for maintenance not only three or four times the railroad rates, but there have been cases where we could have better afforded to have bought and paid for the entire value of the commerce upon the river. So, Mr. President, on the Mississippi and on the Ohio, I hope that when navigation is fully developed the saving, not as compared with railroad rates, but the saving between a just and a fair railroad rate and the water rate will be so great that it will justify the cost out of the Treasury of the United States. If an improvement can not be justified upon that ground, it ought not to be made at all.

Mr. BORAH. The Senator says that he hopes that will be the result when navigation is developed on the lower Mississippi and the Ohio Rivers. We all share that hope; but, in view of past experience, does he expect it to be realized?

Mr. LENROOT. I wish to say frankly that, while I have been very skeptical concerning any of our river improvements, I am more hopeful than I have been for years that the lower Mississippi may justify the expenditures which have been made under existing projects, and when the improvement of the Ohio is completed it is possible, I think, that it may justify the expenditure, but I do not believe the Government of the United States should be conducting at the same time a half dozen

experiments which can be nothing but experiments. If we conduct one, and that is a success, then it is time enough to move on to some other, but, if that one fails, who is there who can defend the waste of money upon four or five others, all doomed to failure?

Mr. President, with reference to this matter, can the Senator from North Dakota or the Senators from South Dakota give any estimate to the Senate of how much it would cost to improve the 1,000 miles of river to make it navigable, assuming there would be commerce developed upon it if it were navigable? They can not; no estimate has ever been made by anyone. To make a few hundred feet or a few miles of revetment here and there, so far as commerce is concerned upon the river, means absolutely nothing.

There is another feature of this question, of course, and that is the reclamation of lands belonging to abutting owners and the benefit to abutting owners; but, Mr. President, I submit that while an argument may be made that the Government owes a duty to participate in such work, the Government owes no duty to any man who has abutting upon a river land that has been valueless from the dawn of creation, because flooded during certain seasons of the year, out of the Treasury of the United States to make it the most valuable farming land in the country.

Mr. STERLING. Mr. President—

The PRESIDING OFFICER. Does the Senator from Wisconsin yield to the Senator from South Dakota?

Mr. LENROOT. I yield.

Mr. STERLING. I suppose the Senator understands that we do not base our contentions for this improvement or for this appropriation upon the ground that the Government owes such a duty.

Mr. LENROOT. The Senator spoke of that contention.

Mr. STERLING. I do not know but that we may yet come to it. We shall see, I hope, that from the standpoint of national interest and national welfare it would be the thing for this Government to do to protect the banks from waste and erosion and the washing of the best farms of the country into the Missouri River, and that from that standpoint alone we ought to improve the river and put in this necessary revetment work. However, we base our claim on the ground that it will benefit commerce and navigation. Of course by the revetment work and the dikes which may be built the banks will be protected, but it is alike in the interest of commerce and navigation that the improvement would be made.

Mr. LENROOT. What interest of commerce and navigation will be subserved if we spend a few hundred thousand dollars, if you please, when in order to get a navigable river it would require many, many millions?

Mr. STERLING. Mr. President, I thought I stated that a while ago. According to the estimate of the engineers 400,000,000 tons of silt are washed from the Missouri River into the Mississippi River annually, and there we expend the millions year after year for the purpose of improving the Mississippi River in dredging it and keeping it navigable.

Mr. LENROOT. How much money does the Senator think it would take to put revetments in the 1,000 miles of the Missouri River to prevent that silt from coming down? How much does the Senator think it would cost?

Mr. STERLING. Oh, well, now, that is a rather strange question to ask. Every bit of revetment work will help so much. It will at the same time protect the lands where the revetment work is placed, but it will help just so much in the interest of commerce.

Mr. LENROOT. That exactly gets down to the point. The revetment work will help the lands; that is true; but unless we have a project that means that we will go into this proposed revetment work, perhaps costing hundreds of millions of dollars, for all I know, and will not aid commerce and navigation.

Mr. SMOOT. Mr. President, will the Senator yield?

Mr. LENROOT. I yield.

Mr. SMOOT. In 1915 I had a very eminent engineer make an estimate for me as to what the improvement of the Mississippi River would cost if the absolutely necessary revetment work were done.

Mr. STERLING. The Mississippi River?

Mr. SMOOT. The Mississippi River. The figures showed that you could build a four-track railroad following the Mississippi from the head to the mouth, equip it, and haul the freight for nothing for the interest upon the amount it would cost; so I made up my mind that that was not a very good investment, and I believe that if it is ever undertaken that will be the result. The trouble with this whole appropriation for rivers and harbors is that we dole out a few hundred thousand dollars here and a few hundred thousand dollars there, and

before the 12 months have gone it is all expended, and within a year the river is in just the same condition as it was before the money was spent.

Mr. LENROOT. I want to say to the Senator that we have already expended, during all the years of the past, \$3,447,000 upon the upper Missouri River, with a constantly decreasing commerce, until it has almost disappeared.

Mr. SMOOT. We have in this bill a lot of projects that are just exactly of the same kind. For instance, take the Jamaica Bay project. In 1910 the traffic on that project was 1,785,605 tons. In 1916 it fell to 736,775 tons. In 1917 it had lost 85 per cent of the amount that there was in 1910—only 15 per cent of the amount—and here this project is to cost \$11,806,000.

Mr. McCUMBER. The Senator must remember that that is New York, not in North Dakota.

Mr. SMOOT. I am not talking about New York or North Dakota or any other State. I am talking about the whole project. When we find rivers here with money appropriated for them where it costs \$150 a ton for all the merchandise carried over them, outside of the logs that can float down the stream, without any improvement whatever, it seems to me it would be much cheaper, as I said in 1916, for the Government of the United States to buy all the merchandise every year and give it to the people rather than to try to maintain here the appropriations for what are supposed to be rivers but are nothing more nor less than creeks.

Mr. BORAH. Mr. President—

Mr. LENROOT. I yield to the Senator from Idaho.

Mr. BORAH. The Senator from Wisconsin and the Senator from Utah know about as much about the machinery of legislation as any other two Senators, and I should like to ask either one or both of them how this thing has been arranged so as to put this appropriation for rivers and harbors into an Army bill. Of course, it was not intended so, but if anybody had intended to accentuate the extravagance and the waste with reference to the matter, that would have been the way to accomplish it. How did it come about, and how can we unscramble it?

Mr. LENROOT. We have no power over it, because the Senate has nothing to do with the matter of placing river and harbor items in the Army bill. The House originates general appropriation bills. The House adopted this plan and sent it to us, and we did nothing but consider the bill in the form sent to us by the House.

Mr. BORAH. Could not the Senate committee separate the two bills and bring in an Army bill and bring in a river and harbor bill?

Mr. WADSWORTH. We could not get them both into conference at the same time with the same people. That is the trouble. We thrashed that over last year, wondering if we could not do that very thing, and it is almost impossible.

Mr. SMOOT. I will say to the Senator from Idaho that the only excuse for it at all is because of the fact that the projects are under an Army officer. That is the only excuse for it.

Mr. BORAH. Of course, I understand that that is the reason though it is no excuse at all; but, Mr. President, it is a serious matter, because if this matter can not be arranged differently, if the river and harbor bill can not come in here upon its own merits and stand upon its merits and be debated and discussed as an individual and separate measure, there is no possibility of stopping this waste and extravagance. I suspect that in all probability, if this bill stood alone, the President of the United States would either stop it or change it, from what has been said; but he is powerless, the Senate is powerless, the taxpayers are undefended and unprotected, and the whole situation has been so arranged that there is absolutely no way in the world to prevent this waste.

Mr. SMOOT. Mr. President, the only success that we have ever had in cutting down river and harbor appropriations in the Senate of the United States since I have been a Member of this body was in the years 1915, 1916, and 1917, when a determined fight was made upon the floor of the Senate, and the amount appropriated by the House was cut in 1915 to \$20,000,000, in 1916 to \$25,000,000, and in 1917 to \$30,000,000, as I remember. I am speaking now just offhand.

Mr. KING. Mr. President, will my colleague yield?

Mr. SMOOT. That was the first time we have ever been able in this body to secure enough votes to change a river and harbor bill.

Mr. LENROOT. I yield to the Senator from Utah.

Mr. KING. Mr. President, I do not want to interrupt my colleague or the Senator from Wisconsin, but, apropos of the suggestion made by the Senator from Idaho, it seems to me, notwithstanding the action of the House, that we would have the power, unless we have made some rule that forecloses us,

to move to segregate this part of the bill and to assign to the Commerce Committee, or such committee as we deem proper, the items dealing with rivers and harbors and let the residue of the bill go to the Committee on Military Affairs. Of course, I can understand what the situation would be. We would pass the items dealing with military affairs and send the bill to the House; the House might refuse to accede, appoint conferees, and there might be a protracted disagreement.

Mr. LENROOT. Let me correct the Senator. No part of this bill would go to either the Military Affairs Committee or the Commerce Committee in any event. All bills go to the Appropriations Committee here, and all bills go to the Appropriations Committee in the House. What the Senator from New York refers to, however, is that there are different conferees from the different subcommittees of the Appropriation Committees, so that there would be one set of conferees from the Committee on Appropriations on military affairs and another set upon rivers and harbors affairs.

Mr. KING. I understood that. I used those two sets of conferees, one as representative of the Military Affairs Committee and one as representative of the Committee on Commerce; but I affirm now that that could be done. We could strike from this bill, if we wished, all items respecting rivers and harbors, and recommit them to the Appropriations Committee, to that branch of it that has to do with rivers and harbors, and they could report back such a bill as in their wisdom and judgment they deemed necessary.

Mr. LENROOT. The Senator can very readily see that that can not be done, because all we could do would be to strike the river and harbor item from the bill. Then it would go to conference, the conferees taking the position that there would be no agreement unless the river and harbor item is included.

Mr. KING. Does the Senator mean that the Appropriations Committee would have no authority to report a river and harbor bill?

Mr. LENROOT. We have no power to take it out of the bill. It is there. We may adopt an amendment disagreeing to it, but it simply goes to conference.

Mr. KING. The policy that I suggested, of course, would reach the same result—that we move to strike out those items—and it seems to me that there would be no rule—

Mr. LENROOT. But they will not be stricken out by the adoption of that motion. That is the trouble.

Mr. KING. If we should adopt it, they would be stricken out as far as the Senate is concerned.

Mr. LENROOT. They would be stricken out so far as the Senate is concerned; but the matter goes to conference, and if the House conferees take the position that they insist upon the items staying in or there will be no Army bill we have a special session ahead of us.

Mr. BORAH. Mr. President, I suppose the test would come on the question as to whether the House would rather have a river and harbor bill or no Army bill. I think, perhaps, as keen as the appetite is to reach the Treasury, there would be some embarrassment in refusing to agree to a bill making appropriations for the Army. There is no way in the world that I can see to meet this situation except that way. This may not be the time to do it, on account of the fact that we are all so anxious to get away after the 4th of March; but I doubt very much if the House would be any less anxious to get away than we are. I think it needs a Caesarian operation of some kind, and the only way to do it, in my opinion, is to meet it, and meet it now. I am not one of those who are opposed to river and harbor appropriations in their entirety.

Mr. SMOOT. Neither am I.

Mr. BORAH. I do not say that appropriations should not be made for this purpose. I have very much less faith in any of them than many of my associates. Nevertheless, it seems reasonable that there should be appropriations for some of these larger and more feasible propositions; but, Mr. President, intermingled with the appropriations which ought to be made are thousands of dollars—yes, millions of dollars—of appropriations which ought not to be made. The time had come in the discussion of river and harbor appropriations when those things to some degree were being managed, controlled, and eliminated; but this method of dealing with the subject has entirely prevented and will entirely prevent any such success in the future, and if we are not ready simply to surrender the proposition and permit this thing to go on its way and gather force as it goes, we shall have to meet it now.

Mr. LENROOT. Mr. President, during the past two or three years I have favored lump-sum appropriations to be allotted by the Board of Engineers; but, in view of what has happened

upon this bill, I am very frank to say that I am not in favor of continuing lump-sum appropriations for that purpose, because, without criticizing anybody, I think, perhaps, I am in the same position as anybody else. If a Senator or a Member of the House has an improvement of the highest merit with a lump-sum appropriation, he is not very much inclined to cut down the lump sum, because he does not know but that his own meritorious appropriation will be cut out and some appropriation less meritorious will be put in. So far as improvement is concerned—maintenance is a different proposition—so far as improvement is concerned, I think hereafter the bills ought to be itemized and specific appropriations made for each project, and then the Senate and the House can act intelligently upon the merits of the different projects and fight in conference for the elimination of such projects as they think are not wise.

Mr. KING. Mr. President, will the Senator yield?

Mr. LENROOT. I yield.

Mr. KING. I am rather disappointed in the results of what we believed to be a reform which was inaugurated.

I was one who contended for lump-sum appropriations, and I offered an amendment in 1917, and renewed it in 1918 and 1919, calling for the creation of a board, as I recall now, of two Army engineers and three civilians of business ability and knowledge of this question of rivers and harbors. I was not satisfied to leave the river and harbor appropriations in the hands of Army engineers. I make no comment upon their ability or their extravagance or lack of extravagance, or their competency to deal with these questions; but I was absolutely unwilling, and I am unwilling now, to leave with the Army engineers exclusively the handling of these stupendous sums.

The criticism which is made by the Senator from North Dakota that they stay in Kansas City and do not appear to be able to perceive the importance of the Missouri River, except in the vicinity of Kansas City, is an indictment of some of the Army engineers or their methods of procedure, which I think is entirely justified.

Mr. WADSWORTH. Will the Senator yield at that point?

Mr. KING. Let me just complete the sentence. A perusal of the hundreds of reports and of the thousands of pages which have been submitted by Army engineers demonstrates to my satisfaction, if not to the satisfaction of others, their absolute incompetence to deal with the great questions which are involved in the improvement of our rivers and harbors. I am not attacking their technical skill, but I am attacking their business judgment; I am attacking their methods of administration; I am attacking the methods which have been employed. I now yield to the Senator from New York.

Mr. WADSWORTH. I was going to ask the Senator if the fact that the Army engineers stopped at Kansas City, or are alleged to have stopped there, is not due to the fact, in turn, that the Congress adopted a project of \$20,000,000 worth of work to be done there? Where would they stop? Why go to the headwaters of the Missouri, in connection with which Congress has adopted no project for the expenditure of money? Congress goes ahead and adopts a \$20,000,000 project, the money to be spent between Kansas City and the mouth of the river. Is it the Army engineer's fault that he does not spend half or more than half of his time up at Fort Benton?

Mr. KING. If I may trespass further on the time of the Senator from Wisconsin—

Mr. LENROOT. I yield.

Mr. KING. The criticism of the distinguished Senator from North Dakota was a little broader, and rests upon a little broader foundation, as I interpreted his remarks, and as I interpret the position of the Senator from New York, from that upon which the Senator from New York is now predicated his inquiry. The position of the Senator from North Dakota was, in substance, that the Army engineers for years had directed their attention too much to that part of the river below Kansas City, and doubtless upon their recommendations large appropriations had been made for that part of the river, and they had not sufficiently perceived the relation of the river above Kansas City to the entire project, but had seemed to concentrate their attention and make their recommendations based upon the Missouri River within the State of Missouri.

Mr. LENROOT. Mr. President, I do not believe the engineers are properly subject to the criticism which has been made, and I had no thought, in saying I was not in favor of continuing the lump-sum appropriation, of reflecting in any way upon the engineers.

What is the situation? The Senator from New York has referred to the one project. Congress adopts projects, and that determines the policy of Congress, that each of these shall be improved in accordance with the estimates, and, once adopted

by Congress, the engineers then make their estimates of the sum that can profitably be expended upon each one of the projects which have been adopted.

My criticism is not of the engineers, but my point is that if we had separate appropriations for each project to pass upon it would give Congress some opportunity to review the matter of its previous action with reference to the adoption of the project and to refuse to grant an appropriation where the engineers would be perfectly justified in estimating for it.

Mr. SMOOT. Mr. President, I wanted to say to the Senator that the engineers are not always free from criticism. I have seen the time when a report of the engineers was made to this body, then an amendment offered in the Senate making a direct appropriation for the project, a Senator visiting the Engineer Department, and the engineers coming in the next day with a report favoring the very project on which they had reported adversely before.

Mr. BORAH. Mr. President, that all gets back to the proposition that the Congress of the United States can not shun or shunt its responsibility in this matter. It is up to us. Of course, I take it that an engineer is not considering the question of taxes or the question of the amount in the Treasury. That is not his business. He has a certain thing to do, and that is to engineer the proposition that is presented to him. But the responsibility for adopting these projects, approving them, and for the appropriation, is right here, and it is here apparently in spite of the fact that we created a Budget Bureau some time ago. Unless the Congress itself takes hold of the matter and deals with it upon the theory that it alone is responsible for the entire appropriation, we shall not hope to correct the evil.

Mr. LENROOT. Mr. President, I am in thorough accord with what has been said, and I hope that this will be the last year we will have lump-sum appropriations for such improvements. If we had each one of these items estimated for separately, anyone can see that the Senate would have an opportunity of striking some of them out, and standing in conference against them, and they would not stay in the bill, and it could increase other items if necessary.

Mr. McKELLAR. Mr. President—

Mr. LENROOT. I yield.

Mr. McKELLAR. A few moments ago, while the Senator was talking, a question was raised as to the volume of business on the Mississippi River from St. Louis down. I have gotten the barge line figures of business since it was created. It began business on November 1, 1919, and from that date to June 30, 1920, the end of the fiscal year, they carried 115,907 tons of freight. From July 1, 1920, to June 30, 1921, they carried 237,258 tons of freight. From July 1, 1921, to June 30, 1922, they carried 655,789 tons of freight. During the last fiscal year they nearly trebled the business of the preceding fiscal year.

Mr. LENROOT. That was my recollection, that the Mississippi River was beginning to make a very fair showing.

Mr. KING. May I be permitted to ask the Senator from Tennessee what that freight consisted of?

Mr. McKELLAR. Wheat, cotton, lumber, molasses, coal, tobacco, sugar, coffee, and merchandise generally.

Mr. KING. Between what points?

Mr. McKELLAR. Between St. Louis, Mo., and New Orleans, La.

Mr. KING. May I inquire whether all that had its origin at St. Louis or points above?

Mr. McKELLAR. I can not say where it had its origin. An immense amount of the up-river traffic had its origin at points in South America, Central America, and Cuba, for instance, heavy articles like sugar, black-strap molasses, and ordinary molasses, which, of course, the Senator knows is exceedingly heavy. A great deal of that business originated in Cuba.

Mr. KING. And was carried up the river?

Mr. McKELLAR. Carried up the river. Then, going back, the freights consisted largely of wheat, corn, cotton, and tobacco. It is quite remarkable that from the tobacco regions of the State of the Senator from Kentucky, western Kentucky, and northwestern Tennessee, which is a very prolific tobacco producer, enormous amounts of tobacco are sent by rail to ports along the river, and thence transported to New Orleans and to the outside world.

Mr. KING. I made the inquiry because I have found oftentimes a duplication of tonnage.

Mr. McKELLAR. I want to call the Senator's attention to the fact that this tonnage applies solely to the barge line. Of course, there is an enormous river traffic along that river outside of that.

Mr. KING. Are those privately owned barges?

Mr. McKELLAR. These are Government-owned barges, but there are other river craft which carry a very large amount of freight.

Mr. KING. While we are speaking of barges, the Senator will recall that during the war we made some appropriations, and Mr. Goltra and others in Missouri, as I understood, took a contract to construct these barges, and then they were operated under the direction of the Shipping Board or the railroad administration, I am not sure which. My understanding was that they were not being used now.

Mr. McKELLAR. My recollection is that there was some direct appropriation made for it. I think it applied to traffic on the Missouri River north of St. Louis and did not apply from St. Louis south; but the Government-owned barge line, under the direction of the Secretary of War, is run between St. Louis and New Orleans.

Mr. LENROOT. Mr. President, I do not want to seem to be holding the floor—

Mr. McKELLAR. I am much obliged to the Senator for yielding to me.

Mr. STANLEY. Mr. President, will the Senator yield for a moment?

Mr. LENROOT. Certainly.

Mr. STANLEY. The Senator from Utah asked the Senator from Tennessee a question to which perhaps he did not reply. I have heard the question asked several times with respect to the present operation of those barges. Some of those barges are now in operation.

Mr. McKELLAR. Which barges?

Mr. STANLEY. The Government-owned barges on the Mississippi.

Mr. McKELLAR. From St. Louis to New Orleans?

Mr. STANLEY. Yes. I was on the Mississippi River last December, just a few weeks ago, and saw those barges in operation. Of course, the Senator understands they are not the ordinary open barges. They are of steel construction, water-proof, and made in compartments. They carry silks, fine fabrics, and anything that can be carried.

Mr. LENROOT. Mr. President, if we may get back once more to the pending amendment, I said that, so far as the reclamation of lands was concerned, to make these appropriations out of the Treasury for the benefit of abutting landowners without any contribution upon their part could not be justified. It must be remembered that on the lower Mississippi now we require contributions on the part of the abutting landowners, and a few years ago an appropriation of \$75,000 was made for revetments such as are proposed in the pending amendment, with a provision that there should be a contribution upon the part of the abutting owners of one-third of the expense or upon the municipality in the vicinity.

Mr. STERLING. Mr. President, I would like to ask the Senator from Wisconsin if he would favor a policy of Government aid for the purpose of protecting the banks on the condition that the States contribute a part, and this irrespective of the benefit to commerce and navigation?

Mr. LENROOT. No; I do not say any such thing, but I do say that there was passed through Congress a few years ago an appropriation of \$75,000, with a provision that there should be a contribution of one-third of the expense by local agencies, and when that condition was met, the improvement was not found so necessary as was supposed, and the \$75,000 has never been expended, and has now been turned to surplus.

With reference to the Senator's question, I say this, of course I would not favor appropriations under a river and harbor bill where navigation was not the primary object, but I want to say, further, that where there is a combination of the two, there is no reason why the abutting owner should not pay for some of the benefits he receives from the improvements. But the trouble with the amendment is that there is no showing and can be no showing that the expenditure of the \$250,000 would be of any material benefit to navigation.

I want to repeat what I said in the beginning, that we have expended in the last 10 years \$582,000, with the result that the commerce has steadily declined until last year we had only 9,000 tons of commerce on a stretch of river over 1,000 miles in extent.

Mr. STERLING. I know something about the case to which the Senator refers. The people have wished a thousand times, I think, that they had not accepted the proposition made by the Government and involved in that appropriation, and raised the \$25,000 to meet the Government appropriation of \$75,000. Two hundred thousand dollars now would not make the improvement, because at the place where it was designed that the improvement should be made we have a lake rather than a river.

Mr. LENROOT. But that does not at all affect the point I made that where there were local interests whose interests were the primary interests, nevertheless when they had to make a contribution of 25 per cent of the total cost they did not want it badly enough to make the contribution. That is the point I make.

Mr. STERLING. They wanted it, but there were too many conservative citizens in that locality.

Mr. LENROOT. That may be. In conclusion, I want to say again that unless we are going to face amendments of this character, the same argument can be made with just as much ground for a million dollars at this point upon this same stretch of river, yes, for \$10,000,000, as is made for the item of \$250,000. If the Senate is now going to establish the precedent that it will make an appropriation not estimated for by the Board of Engineers, not adopted by Congress, not considered by the Committee on Commerce which has jurisdiction of the authorization, then we might as well repeal our Budget law entirely.

Mr. WADSWORTH. Mr. President, the discussion upon the amendment offered by the Senator from North Dakota [Mr. McCUMBER] has gone far afield at one time or another since 11 o'clock this morning. I do not criticize the variety of the topics discussed, because I am going to indulge in a very brief discussion of something which does not concern the Senator's amendment.

The Senator from Idaho [Mr. BORAH] has protested against the inclusion in the War Department appropriation bill of a river and harbor item. I desire to join him in that protest. Perhaps my reasons for doing so are not exactly the same as his, but they are nevertheless just as sincere. Briefly, let me sketch to the Senate what the increase in the river and harbor item does to the bill.

The estimates this year coming from the President of the United States through the Director of the Budget involved approximately \$27,000,000 for rivers and harbors. Apparently—and I say this in all kindness—the House Committee on Appropriations, believing that there was a demand in the House of Representatives for a larger amount than the Budget estimate, reported the bill to the House carrying \$37,000,000, an increase of \$10,000,000 over the Budget estimate. On the floor of the House the \$37,000,000 was raised to \$57,000,000 by a vote of something like 3 or 4 to 1, the Appropriations Committee of the House and the House leaders being swept off their feet and very little discussion having occurred.

The net increase for rivers and harbors alone over the figures of the Budget is almost \$29,000,000. A Senator interested in the proper balancing of the Government's expenditures in the course of a fiscal year, and, indeed, a Senator interested in a proper balancing of this great appropriation bill, can readily see what effect an increase of \$29,000,000 over the Budget figure in one single item has upon the whole bill.

I am not authorized to read the minds of the able and distinguished Members of the House who reported the bill to the House, but I think I am not very far wrong when I say that some of the items in the military activities of the bill, which relate to the Army, the National Guard, the Organized Reserves, and the general citizen soldier-training program, were cut below the Budget estimate, perhaps—and I use that word "perhaps" advisedly—in anticipation of an emphatic increase in the river and harbor item and in the hope that by keeping slashed down below the Budget estimate the appropriations actually considered necessary for the national defense some substantial increase could be made in the river and harbor appropriations. Whether that was in the minds of the House Committee on Appropriations I am not certain, but that was the result in the bill. We have more than doubled the figures of the Budget estimate in one single item, thereby making it almost impossible to treat fairly and decently and, indeed, patriotically, other items in the bill, such as those to which I have referred.

I know perfectly well that I am addressing a body of Senators who intend to support the \$56,000,000 appropriation items for rivers and harbors. I think it is no violation of a confidence that should be kept when I say that I made these remarks substantially to the Committee on Appropriations. But the \$56,000,000 appropriation was supported by that committee, and, of course, to use a colloquial expression, I had to take my medicine. And yet I think I owe it to myself and some other members of the committee to explain my attitude and that of those other Senators.

Last year, Mr. President, we sliced the Army probably more severely than it had ever been sliced in its history, and that on top of the slice the year before, which up to that time was the most severe in its history. We even went to the extent of dis-

missing from the Army—that is, dismissed from the active list—by retirement or discharge or by expedited resignations 1,400 Regular officers. More than that, we compelled the demotion of 1,800 others. We cut the enlisted strength down to 125,000 men, the smallest it has been since 1900 in proportion to our population and obligations. We have reduced it to the point where to-day there can not be mobilized in an effective manner in the United States 40,000 soldiers from the Regular Army. That is a serious matter, Mr. President, but its seriousness would not be so great if we were not threatened this year with the prospect of checking the logical and legal development of the National Guard. Having done away practically with the Regular Army as an army—for it is no longer an army in the true sense of the word; it is merely a military force scattered in tiny units over a huge continent and with garrisons overseas—having done away with the Regular Army as an army so far as mobilization effectiveness is concerned, we are confronted with the prospect of making it almost impossible to have anything else in the way of an army.

The Senate Committee on Appropriations wanted to raise the National Guard appropriation up to the Budget estimate. The House has cut it considerably below the Budget estimate, in some places very severely below, to such an extent that, in our judgment, the National Guard could not progress in accordance with the provisions of the national defense act. But we did not dare come up to the Budget estimate. Why? Because \$29,000,000 had been put on in excess of the Budget estimates on the one item of rivers and harbors. The same observation holds good with respect to appropriations for the Organized Reserves. We have increased and the Senate has adopted our increase of the appropriations for the Organized Reserves, but we did not dare come up even to the Budget estimate for the Organized Reserves and the civilian military training camp or the Reserve Officers' Training Corps in the schools and colleges. Why? Because the whole plan has been thrown out of balance by this extraordinary action in doubling the Budget estimates for rivers and harbors.

Mr. SMOOT. More than doubling it.

Mr. WADSWORTH. Yes; it is a trifle more than doubled. Of course, the whole idea of the Budget has gone if this method is going to prevail. If this can be done year after year, despite the advice of men who study as to where the estimated income of the United States can be most advantageously spent, if that advice is to be thrown overboard and the whole system dislocated on the score of one item which happens to control or sway a very large number of votes, we might just as well give up all idea of managing the finances of the Government of the United States in a businesslike manner in the future.

I may be swayed by my personal experience or contact with the thing when I say that I earnestly hope the river and harbor appropriations will be taken out of the bill next year. They have destroyed the effectiveness and the proper balance of the War Department appropriation bill. I can not go before the country and defend the total appropriation of \$340,000,000 on the War Department appropriation bill when the estimates were only \$319,000,000. How are the committees on appropriations as a body, regardless of the proclivities or special desires of some of them, going to explain to the country why they reported a bill \$21,000,000 higher than the amount the President and the Director of the Budget said we had available to spend, and why they distributed that \$21,000,000 excess in such a way as to crowd downward some items which should be brought upward and force upward some items which, it is conceded by the people who have studied the situation, did not need to be raised upward.

In the committee an effort was made to reduce the item very moderately. It was the ambition of some of us to report the bill to the Senate at a figure not exceeding the figure carried by the bill as the House passed it. The Committee on Appropriations found it absolutely necessary to add at least \$6,000,000. Unless we were to injure the effectiveness of the National Guard and to destroy the growth and effectiveness of the Organized Reserve, we could not help adding to the bill in the military items. I will say very frankly—and I think it is no violation of confidence—that I begged those Senators who are supporting the \$56,000,000 for rivers and harbors to agree to reduce the rivers and harbors item by \$6,000,000, so that the bill could come before the Senate at a figure no higher than that at which it passed the House. But I had no encouragement.

Mr. SMOOT. Mr. President, I think that it is fair to the committee to say that the amount reported out for rivers and harbors—approximately \$57,000,000—was not upon a unanimous vote by any manner of means, either in the subcommittee or in the whole committee.

Mr. WADSWORTH. That is true; but, nevertheless, I think the Senator will agree that the majority against us was somewhat substantial, and probably will be as to any effort made on the floor to reduce the \$56,000,000.

Mr. SMOOT. Let us give everyone a chance to express himself on it.

Mr. WADSWORTH. Oh, Mr. President, I am not criticizing the Senators who stood for the \$56,000,000 appropriation. They believe, of course, that that money should be spent, but where it is going to come from I do not know. The inclusion of \$56,000,000 for rivers and harbors brings the total of the money thus far appropriated by this Congress in the appropriation bills thus far passed above the total of the Budget Bureau estimates for those same bills, and the Budget estimates are based primarily on the estimated income of the Government of the United States. If we are going to appropriate more money than we have income ahead, where are we going to end? We can not go on in this way.

I had hoped that we might carve the appropriation down to a reasonable extent. It would not hurt the river and harbor projects if the appropriations should be reduced to the same figure which was provided this year, that is, \$42,000,000. That would be \$15,000,000 over the Budget estimates for this year, but it would bring the total of the bill within reasonable limits. It would bring the total of this bill, Mr. President, just about to the figure of the Budget estimate—a trifle over it.

It may be somewhat unconventional, Mr. President, for the chairman of the subcommittee thus to express himself when that same subcommittee has expressed an opposite opinion by their vote, but, notwithstanding, the matter is so important and my connection with it is so peculiar, that I thought I was justified in stating my own views on the effect which this astonishing increase has had upon the bill as a whole.

Mr. CARAWAY. Mr. President, it is not at all uncommon for one to become—I will not say obsessed with, but persuaded of, the wisdom of making expenditures to meet governmental activities with which he is in sympathy, and for that same person to be totally out of patience with the expenditure of public funds for projects that he happens not to approve. Senators on the other side of the Chamber are hastening the passage of this bill in order that they may reach the consideration of the ship subsidy bill, which will involve appropriations of \$30,000,000 or \$40,000,000 or \$50,000,000 a year, and not only necessitate annual appropriations, but establish a fixed policy that will be in existence for at least 10, 15, or 20 years.

If the Senator from New York is so distressed as to how the money is to be raised in order to meet the appropriations for river and harbor appropriations, if he will join with us we will defeat the ship subsidy bill and have a surplus over this increase in the rivers and harbors appropriation.

I am not in sympathy with the Budget plan as it has been administered. I do not conceive that two or three men whose training has not been that of business men, whose whole outlook on life has been that of men who draw salaries, who never created any wealth, are by such education and training qualified to control the activities of the American people, and that they know more about the needs of this vast country, with a population of 110,000,000, than do the representatives whom the people have elected. There is not a member of the Budget committee—and I am not criticizing them—who has ever associated himself with any section of this country to such a degree that he could be returned as a Member of Congress in either branch; not because they are not as good as the men who are elected, but because they have not had the opportunity to study the problems of the country and the people in their everyday life. They do not know the needs of the people of this country; they are not in sympathy with the aspirations of the American people. Therefore I do not attribute to them any divine right to control the activities of all the American people. I am not in sympathy with the Budget system. It never was a workable project under our form of government and it never will be.

Let me remind those who talk so much about the infallibility of the Budget system that there will be deficiency appropriation after deficiency appropriation coming along. There is one on the way now. Almost before the naval appropriation bill was out of the other House, and before it was through the Senate, there was another recommendation for a tremendous emergency appropriation for the Navy. There will be others for the Army; there will be others for every activity of the Government. It is all right to talk about the infallibility of the Budget system, but the very Senators who do so know that they will be on the floor of the Senate reporting deficiency bill after deficiency bill in order to take care of the items of which

the Budget Bureau never thought when they made the estimates.

I am in sympathy with the Senator from North Dakota [Mr. McCUMBER]. I am not informed as to his particular amendment, but I am going further than even that Senator went. The navigable streams of the country are under the exclusive and absolute control of the Federal Government. One can not improve them without the permission of the Congress of the United States. Then, can it be said that if the Government does not maintain a river and because of its failure private property is destroyed the Government is not at fault? I do not agree with such a contention. The Government controls the Missouri River and that river destroys the farm lands of North Dakota; inasmuch as that river is a Government stream, the Government owes something to the private property owners in North Dakota, not to maintain a public stream in such a way as to destroy their property.

It is a peculiar viewpoint that Congress seems to have. If the Government were to establish an industry and it was shown that it would damage private property, there is no Senator on this floor who would not vote for an appropriation to reimburse the owners of private property so damaged or destroyed. If we lay out a proving ground to use artillery for field practice we take care of the abutting property owners; and yet in the case of a great system of waterways that could be helpful, but are not, because the Government has been so parsimonious that those waterways are not only lying idle but are actually kept in such condition they destroy the property of people all along their length from source to mouth, we are told upon the floor of the Senate that the Government is under no obligation to maintain its property in such a condition that it will not destroy the private property, the lands that about the streams of individuals whom this very Government may tax. I have no patience with such a proposition. I do not expect the Congress to accept my theory, but I do say that no man upon any kind of equitable statement of the case can defend the attitude that Congress assumes of nonliability of the Government when it comes to the destruction of private property by reason of the failure of the Government properly to care for and maintain that which it uses, owns, and controls.

I think there is much merit in the amendment offered by the Senator from North Dakota. It may be true that it would be unwise and inexpedient to adopt it in view of the policy which is laid down in this particular bill of providing lump-sum appropriations. I never favored lump-sum appropriations. I prefer each item to stand upon its merits; and I voted in the Senate against the rule which placed river and harbor appropriations in the Army appropriation bill, while the Senator who so eloquently denounced it a moment ago voted for it.

Mr. WADSWORTH. Mr. President, will the Senator yield?

Mr. CARAWAY. I yield.

Mr. WADSWORTH. I think the Senator can not point to any rule of the Senate which does that. That was done in the House of Representatives.

Mr. CARAWAY. Here is what happened: When we consolidated the appropriations and put the various appropriation bills under the jurisdiction of one committee in the Senate this very suggestion was made. At that time it was earnestly insisted that when the appropriation bills came to the Senate we should send to the Committee on Commerce those items which had formerly been handled by that committee, to the Committee on Agriculture those items which had formerly been handled by that committee, and so forth. The Senator from New York was not in agreement with that policy, and wanted them all concentrated in one committee, and that has been done. Now he rises in his place and declaims against the policy for which he voted but against which many of us protested. I hope that we will find some solution of this question.

I do not believe in concentrated authority; I do not believe that three or four men possess all the wisdom in the world, however able they may be. I believe the collective wisdom of all the people is better than the judgment of some individual. I believe the ability of the entire Senate is more to be trusted than that of one committee, however able the membership of that committee may be—and I am not criticizing any committee. I believe that the Congress knows more than one Army officer—and I am not criticizing him, because I understand he is an excellent man, although I never saw him—and two or three hotel keepers. I should say, however, that if it were going to be left to them to get money, it was the wisest choice that could be made. [Laughter.] That system, however, is out of line with the policy of this Republic. It is an unworkable system which we have borrowed from the English Government. I am not in favor of it at all.

Here are some of the things that have happened under it: In connection with the Agricultural bill I saw the Senator in charge of that bill not make points of order against amendments which increased appropriations where it happened that he was in sympathy with the appropriation involved, and I saw him at the same time knocking down every other amendment proposing appropriations by points of order.

Mr. McNARY. Mr. President—

The VICE PRESIDENT. Does the Senator from Arkansas yield to the Senator from Oregon?

Mr. CARAWAY. I yield.

Mr. McNARY. I can not let that remark go by without correcting it.

Mr. CARAWAY. I will call the Senator's attention—

Mr. McNARY. Please let me finish my statement.

Mr. CARAWAY. Very well.

Mr. McNARY. I was in charge of the Agricultural appropriation bill on the floor of the Senate, and wherever I thought an amendment increasing or decreasing an appropriation came within the rule as it has been interpreted I made a point of order against it, without regard to party affiliations or individuals or sections.

Mr. CARAWAY. I shall accept that statement of the Senator, but I did not even have him in mind. I had in mind the appropriation for the destruction of the barberry bush. I think it was a good thing, and it went in the bill without a protest, although it provided an increase in the appropriation, the Senator upon my right insisting that the rule did not apply. Yet when there was an effort made to extend the same principle to another appropriation the Senator who had refused to make the point of order in the first instance said, "Of course, I was merely mistaken when I did not make it against the other," and he made the point of order against that last amendment.

Mr. SMOOT. The Senator does not refer to me, does he?

Mr. CARAWAY. I am not referring to the Senator from Utah; but I think that Senator was one who approved, and said that if the item was put in the bill in the House it was not subject to a point of order in the Senate. Did not the Senator say that?

Mr. SMOOT. I said nothing about the barberry bush in any way, shape, or form.

Mr. CARAWAY. The Senator probably was not here, then, because no item can be passed without his talking about it if he is present. However, I was mistaken about the Senator from Utah, but one Senator actually commented upon the two items, and the Senator from Oregon knows it, and they were on the same plane. Oh, I know how it is; how impatient we are with appropriations that do not meet our approval, and how tolerant we are with those that do.

I never expect to see the Senate and Senators change in that respect. It is not human. It is only a waste of public money when we do not approve of the manner in which the money is to be expended. It is a "pork barrel" if it is being expended for some activity that does not appeal to us as wise. It is statesmanship if the appropriation is made for some activity with which we are in sympathy.

A Senator the other day was reading an editorial about the wasteful expenditure of money on the Mississippi River, and yet I never in my life heard a Senator from that section criticize the effort of the Government to reclaim a vast desert, and I do not criticize it now. I am in sympathy with it; but here is what some people fail to understand. I am speaking now of the policy advocated by the Senator from North Dakota. This Government has not any wealth of its own creation. Every dollar in the Treasury came from somebody. Somebody's sweat and brawn created it. Some other activity produced it. The Government merely collected it; and men can not do business unless the facilities for doing business are created, or within their power to create. The reclamation of the waste lands in the West, the reclaiming of the river valleys in the South, have added hundreds and hundreds and hundreds of millions of dollars to the national wealth. They have paid back into the Treasury of these United States twenty times more than they cost, and yet the wealth is still there, and it is not destroyed by the fact that the Government is reaping the harvest of the taxpayer from it.

There are millions of acres of farm lands that are feeding and clothing people that were made suitable for cultivation and possible for farmers to till by reason of some expenditure of the public money. There is not a spindle now turning in a New England cotton mill that has not been benefited by the expenditure of public moneys that kept the Mississippi River from destroying that great fertile valley in which most of the cotton of this country is grown. It does not inure to our benefit alone. They get more than we out of it.

The Senator from North Dakota wants to save the rich wheat fields and corn fields of North Dakota. If it were not for the wheat and the corn fields the people in the cities would starve, and the Senator who so declaims against appropriations of this kind would not have anything to clothe and feed the armies that he is so anxious to create. And yet nobody ever heard of an unwise appropriation, according to his view, if it were to be spent upon the Army or Navy. It only becomes a "pork-barrel" measure if some humble farmer in North Dakota or in Arkansas or Louisiana may be helped to contribute his little toward the feeding and clothing of the peoples of the world.

I am not in favor of the policy that we seek to lay down. I know, and the Senator from New York knows, and all those who are so eloquently proclaiming about the benefits of the Budget system, that the men who thus estimate, who restrict and direct the expenditure of public money, are not acquainted with the many activities of this Government; and if we are to become hopelessly tied to a Budget and to be dominated and controlled by a Budget, I know that this country will be developed in a one-sided way.

Mr. WARREN. Mr. President—

The VICE PRESIDENT. Does the Senator from Arkansas yield to the Senator from Wyoming?

Mr. CARAWAY. I yield to the Senator.

Mr. WARREN. If I remember rightly, the Budget system did not originate or grow up in the first place with any individual in the Senate, or with the Senate itself, or with the Congress. As I remember, the great political party of which the Senator is an honored member, as well as the opposite party, both declared for a Budget and both voted in their conventions to ask Congress for a Budget law. The President—who was not an outlaw, as perhaps some of us are, about a Budget—took up the matter. We heard from President Woodrow Wilson not only that we were to have a Budget, but that the appropriation bills should all go to one committee in the House and in the Senate, which seems to be another transgression, in the Senator's mind.

I was one of those who had some doubt about a Budget. I did not vote against it and I did not vote for it; but so long as I did not vote against it I practically voted for it, we will say. That is my remembrance of the matter. But I am satisfied that the Budget has saved a great deal of money, and although it may not be a proper thing for me to state now, as it may interject my personality a little, I want to say to the Senator that I served here some considerable time before there was a division of the different supply bills and a distribution of them to different committees.

I know that General Cockrell—an honored member of the party of which the Senator from Arkansas is a member, from Missouri, who served here for years, and a fairer man never lived or served in the Senate, in my estimation—stated on the floor of the Senate then, as the rule was adopted which distributed the appropriation bills among several committees, that that act would mean anywhere from one to several million dollars a year extra expense, and it has proven to mean that, and many times more. It has been stated on the floor of the Senate from our side of the Chamber—I think it was urged by the then chairman of the Finance Committee, Senator Aldrich, who, of course, had to take care of the revenue, and so forth—that it was costing \$300,000,000 a year more than was necessary. This statement was made after a few years' trial of the changed rule.

Without any bidding of the Senate, so far as I know, and without any bidding on the part of any member of the Appropriations Committee, the House took up the matter of having but one Appropriations Committee. The Bureau of the Budget, which had been almost unanimously established by the votes of both branches of Congress, changed the system of estimates and provided that certain bills should carry certain items. It made a confusion and a commotion that could hardly be met by the old way of dividing up the appropriations here, and the consequence is that the rule was passed which recognized both ways—to take the old Appropriations Committee as it stood and to add to it three members from each one of the other appropriating committees of their selection to sit with the general Appropriations Committee in considering each of such committees' one bill.

So far as I am concerned, it has made a great deal of hard work for the Appropriations Committee, but I do not regret it, and I want to commend the way in which the committee has handled it, the way in which the clerks of the committee have worked nights and Sundays and long days—and so have the members of that committee. These ex officio members who have come in and worked with us on the subcommittees have taken up the subjects with more spirit than they were ever taken up, I think, by the committees when each of them had but one

appropriation bill. The facts were all there for them to obtain information as they went along; and I want to take this opportunity to commend the general committee itself and the employees of the committee, who have been so valiant in their work. I want to say that for 12 years we never have passed the appropriation bills in a short session—all of them. They have run on, even though there were only six in the Appropriations Committee, and the others were handled outside of it; every year the 4th of March of the short session has found us with a part of the appropriation bills not passed, and the consequence was the expense of an additional session.

There could not have been better service furnished in any way than has been furnished to that committee by some and in fact all of the members, the ex officio members. I have two of them in sight now, the Senator from Oregon [Mr. McNARY] and the Senator from New York [Mr. WADSWORTH], both of whom, I want to say, have given the best of service from first to last; and taking the expenses of this Government as a whole, as large as they may be, and as frightful as they are to look at, they would have been millions larger if this work had been divided, it does not make any difference who might have had charge of it. In my remarks concerning the division of the bills I do not allege that it is because of any intent on the part of those who have had, say, one committee and a great deal of other business; but where the committee has had only one appropriation bill it has been submerged, generally, with the other business of the committee, and it is approached by those from the outside who are designing, and the consequence is that when we have a Budget they are not infallible, it is true, but they spend the whole year in this work. Now, how much time can a Senator spend upon any one particular committee unless he is confined to one committee in this body? Yet this Budget Bureau spends the whole year in getting these things, these expense items, together, seeing what can be cut out, in the bureau's judgment, and what should be put in, and its officers then submit their work to us.

I know that the Senator from Arkansas does not want to proclaim that either he or I is an outlaw because originally we had some suspicions as to the Budget. We have to work together with those in our party, and those Budget ideas have become engrafted in the memories and thoughts of the country so that it is almost unanimous. We have to take the average, and we have to work it out, and I think it is working well.

Mr. CARAWAY. Mr. President, if the Senator from Wyoming thought I was criticizing him, I have been unhappy in what I said.

Mr. WARREN. Oh, no; not at all. I did not think that.

Mr. CARAWAY. I think we are exceedingly fortunate to have the Senator from Wyoming at the head of the committee in this exceedingly difficult transition from a people's government to a bureaucracy. It does not make the method holy, though, however wise the Senator himself may be.

Here is what I started to say, and I wish to complete the statement: If all the appropriations shall be controlled by a Budget Bureau, necessarily those activities of the Government with which it is most familiar or is most in sympathy will get the larger part of the expenditures of the public funds. That is one of the frailties of human nature. There is more merit in that project with which we have sympathy than in that project with which we have no sympathy. There is also the other weakness, inherent with us, that if we are brought into constant contact with people who are interested in some particular line of legislation or governmental activity, and we like them, and they are intelligent, eventually we fall more or less under their control. Therefore, those activities of this Government which are not able and are not suited to be represented by a lobby here in Washington 12 months in the year will necessarily suffer, and those activities of the Government which are centralized here or have the ability to represent themselves by great lobbies, social and otherwise, will profit.

That is apparent when we legislate for the District of Columbia. More money can be gotten for the District of Columbia's needs, according to the amount it contributes toward the wealth of the Government, than for any other activity of this Government, because the Members of Congress are brought constantly into contact with the conditions here and with the people here, and have sympathy with the people, and an interest in and appreciation of their necessities.

Those things with which people are not constantly brought into contact, usually, without being unfair, but through lack of information, and therefore no sympathy, that is easily demonstrated. For instance, everybody knows that the Senator from North Dakota [Mr. McCUMBER] is a splendid man, a just man, yet he has offered an amendment which he knows is

vital to the situation in his State, and members of his own party, but from different sections of the country, are pointing to it as an unjust and indefensible effort upon his part to localize expenditures which are contained in a lump-sum appropriation. That is the misfortune in this very system. He loves his country, and he knows its needs. He is not unmindful of the needs of the rest of the country, but under the Budget system he stands here with his hands tied, because the Budget did not know anything about the necessities of the farmers and the business men and the stock growers along the great valley of the Missouri River in North and South Dakota. They gave \$25,000 for an activity which he says is worthy of \$250,000, and I say that he knows more about it than General Lord, who never saw North Dakota, possibly, and, if it were not colored, I doubt whether he could point to it on the map; but I am not criticizing General Lord.

Mr. BORAH. He is color blind?

Mr. CARAWAY. It is one of the handicaps of life that men who devote all their activities to some particular line do not appreciate other activities in other localities. We all noticed quite a while ago the acrimonious discussion between two branches of the Navy, one branch insisting that the air was the best defense, and that they could show that the battleships were obsolete, or obsolescent; the other contending that the battleship was the first line of defense. One knew how to fly; the other knew how to sail. Neither appreciated the other, because their whole interest was wrapped up in the line of activity with which they were familiar.

The gentlemen who handle the Army appropriations believe the Army is the one essential thing, that if you could get everybody into uniform, and could get spurs on their boots, although they might not know a horse from a cow if the cow were dehorned, civilization would be safe. The other believes that if you could get all the wealth of this country into battleships everybody else could sleep securely at night. The centralization of authority is the thing against which I am protesting, giving a few men who can not know personally the needs and wants of this country the control of the resources of every man and woman, from mountain to sea, and from Canada to Mexico. It is wrong, and the system that puts into one committee all this power is wrong, although I will state, so as not to get into any argument with them, that that committee contains more than half the wisdom of the Senate.

I am satisfied that no more disinterested Senator sits on this floor than the Senator from New York [Mr. WADSWORTH]. I have a very high regard for him. I am sure that in his heart of hearts he believes that every dollar which is appropriated to be spent for the great harbor of New York is a wise appropriation of public money, and that it would be sacrilegious to cut one penny from it. Yet he has no patience at all with the Senator from North Dakota, and believes that the Senator from North Dakota is trying to raid the Treasury. It is because he does not appreciate the situation in North Dakota. It is the system against which I am proclaiming.

My good friend from Utah, sitting over there, who is going to vote against every item in this appropriation for rivers and harbors and be sorry there are not more of them to vote against, is one of the best men in the Senate. He is one of the few men who have the courage to vote against local measures and do it every time. The other day he was reading with approval an editorial from the Chicago Tribune which was "cursing" out the expenditures on the lower Mississippi, and he was approving that paper as a second Daniel come to judgment. In a subsequent paragraph it said we were committing a sublime folly in cutting to the bone the Army and Navy appropriations, and then the Senator from Utah said, "This man is exactly right when he talks about rivers and harbors, but he is feeble-minded when he is talking about the Army and the Navy." It depends on the viewpoint.

Mr. KING. Will the Senator yield?

Mr. CARAWAY. With pleasure.

Mr. KING. The Senator is so kind in his allusion to me that I want to ask if he would indulge me while I state that heretofore I gave notice that I would offer an amendment calling for an international conference with all nations with which we hold diplomatic relations for the purpose of reducing the Army and the Navy; and in view of the fact that a number of Senators have asked me whether I was going to ask for a vote on that amendment I want to give notice that I shall ask for a vote on it to-day or to-morrow.

Mr. CARAWAY. And the Senator will find the Senator from New York almost reading the Senator out of polite society for daring to lay his hand on the Army.

Mr. KING. Let me say to my good friend, with respect to his observation about my attitude upon rivers and harbors, that I am not quite as radical as my friend assumes. I think

there are some items in this bill which are quite admirable, and I should vote for a very liberal river and harbor bill. I think some of these items may not be justified, and may I say to my good friend from Arkansas, whom I love very dearly, that I should be glad if we could evolve a system of dealing with this very important subject that would be, if I may use the expression, scientific, reasonable, just, and fair, and for that purpose and to that end I had the honor to submit upon two or three different occasions an amendment to river and harbor bills calling for the creation by law of a commission consisting of two Army engineers and three men of ability in business and in engineering, to be appointed by the President, by and with the advice and consent of the Senate, who should have authority to survey the whole field and make reports as to what projects should be developed, and approximately the amount which should be appropriated from time to time for the development of those projects, submitting their reports to Congress for Congress's approval, and then that we should make appropriations in lump sums to that commission, and they should expend them according to their wisdom. I should heartily support a project of that kind.

Mr. WARREN. That would be passing the buck to the other fellow.

Mr. CARAWAY. Yes; that would be a still greater concentration of authority, and a surrendering of all the obligations and duties that rest upon us to legislate. Of course, the time will not come in my short life, but I wish we could get rid of bureaus, instead of multiplying them. I have never seen wisdom grow out of bureaucracy. As other countries get rid of bureaus and bureaucracy, we set them up.

Mr. WARREN. We provide for them by resolution.

Mr. CARAWAY. Of course. We will suspend anything to create a bureau, and turn over to it the administration of governmental functions for which it has no capacity and in the administration of which it displays no sympathy. Let us bear our own responsibilities without sheltering ourselves behind the Budget or any other bureau.

I am not talking about the Senator from Utah, but he suggests to me that a great many people refuse to project themselves into the future and exercise any imagination about advantages that may come from the expenditure of public funds. Unless they can see that there are so many thousand tons hauled on a river to-day, they say, "It is a waste of public revenue to appropriate for the improvement of that river because now there is no commerce."

Let us see that river improvements, both for the benefit of navigation and for the benefit of people who create the wealth of this country, have a fair chance. Here is a bill carrying three hundred and some odd million dollars. Fifty-six million of it is for the improvement of the waterways and harbors which are to care for the commerce of this country. Nearly \$300,000,000 is for an Army. The Senator from New York shakes his head. How much is for the Army?

Mr. WADSWORTH. Two hundred and fifty million dollars.

Mr. CARAWAY. What are the other things appropriated for besides rivers and harbors?

Mr. WADSWORTH. The Panama Canal Zone, national soldiers' homes, all the national military parks, all the national cemeteries, the Alaska roads and trails, and Alaska cable.

Mr. CARAWAY. I remember.

Mr. WADSWORTH. Quite a number of things.

Mr. CARAWAY. It all comes back to this, that the expenditure of \$250,000,000 for an Army is the part of wisdom, but the expenditure of \$56,000,000 to take care of the commerce of 110,000,000 people, and do something for the reclamation of this great country of ours, is an extravagant and indefensible waste of public revenue. Our attitude depends on our viewpoint, Mr. President.

Mr. RANDELL. Mr. President, I want to say merely a few words, and I shall detain the Senate only a few minutes.

I am sorry there has been much discussion about the river and harbor item in the bill. The item seems to come in every year for more or less talk, and I presume we are lucky in having adopted the lump-sum system, because if we had all the items in the bill, as we used to have, it would take us a week or so, as it used to take us, to pass the bill.

Mr. WARREN. Mr. President, may I ask the Senator a question?

Mr. RANDELL. I am delighted to yield to the Senator from Wyoming.

Mr. WARREN. In passing a river and harbor bill, wherever it originated or wherever it ended, have we ever escaped having a great many hours of discussion?

Mr. RANDELL. We have escaped passing a wise bill several times. We have many times escaped doing what the

Engineer Corps of the Army asked us to do in regard to the river and harbor items. The Engineer Corps of the Army is not responsible for these matters. They are charged with a duty and they have very wisely and well, in my judgment, performed the duty imposed upon them in this matter. We have told the engineers of the Army that they must look after the waterway improvements of this great Nation, and in the past, my senatorial friends, when they have said they needed a million dollars we have rarely ever given them more than \$500,000, and when they have said they needed \$50,000,000 we have rarely ever given them \$25,000,000.

I have been a close student of the subject during the 23 years of my congressional life, and I can testify that we have never heretofore given the Engineer Corps of the Army what they said could be wisely expended. This is the first time in the history of the American Congress of which I am aware, Mr. President and Senators, when the Congress of the United States has proposed to give to the Engineer Corps what they have said could be wisely and profitably and advantageously spent during the ensuing 12 months. If anyone can show me where we have done it before, I wish they would do so, because I do not recall it.

This time the engineers were specially questioned about it. They did not advocate it; they did not lobby for it; but when brought before the committees of Congress and asked what sum they could profitably expend on all the great waterways during the coming 12 months, they said the amount was \$56,590,000. They were asked then, "Where do you propose to expend that sum?" They gave the information in itemized form, and I am going to go over it to some extent in a few moments. They said, "The Members of Congress have approved the various waterways. You have said by your action that the waterways should be improved. You have told us to go ahead and improve them. If you want them improved, give us the money. We can not do it without the money. We can not make the success that was made at Panama unless you give us the money as the engineers of Panama were given the money."

It is a shame for us to adopt these projects and hold the Engineer Corps of the Army responsible and to expect results from them and then not give them the money. We have gotten remarkable results in many of the great harbors of the country. Why? Because we have given to the harbors on the Great Lakes, on the Atlantic, on the Gulf, and on the Pacific the necessary sums of money to improve those harbors properly. Now, I do not say that there was anything improper or sinister in improving the harbors and not improving the rivers, but I wish to call it to the attention of the Senate that the harbors are railroad terminals and the rivers are railroad competitors. Senators can draw their own inference or conclusion from that statement. A harbor is a place at which the railroad runs its trains alongside the ship and unloads its cargo into the ship, or takes a cargo out of the ship. It is a terminal. The railroads have always assisted in securing liberal appropriations for the improvement of the harbors, and the harbors in the main have not suffered.

But, sirs, we have not improved the great rivers of the country which compete with the railways. In 1876 we began to improve the Ohio River much as it should be, though it is not now a great competitor of the railways. It should carry an immense volume of commerce. Since 1876 we have spent considerable money on the Ohio River, but we have never brought the project to completion. Finally in 1910 we adopted definitely a specific project of a 9-foot channel on the Ohio River from Pittsburgh to Cairo. That was 13 years ago. It was said we would finish it in 10 years. We are nothing like through with the project. If we would give the engineers all the money they should have, they could finish the Ohio project in five or six years more.

Now, Mr. President and Senators, the same engineers, who have lagged so long with the Ohio River from 1876 up to the present time, finished the Panama Canal, which is certainly as great an engineering work as there is on any one of our rivers, in a period of 10 years. Why did they finish the Panama Canal within 10 years? Why, sirs, it was done because we gave them the money; we permitted them to go ahead with the work; we acted in a businesslike, sensible way. If we would act in the same businesslike, sensible way in regard to the waterway improvements of the country, we would get similar results.

What would be the benefit to the Nation? The transportation people tell us that there have been no railroad lines of any consequence built in the last three or four years.

Mr. Rea, president of the Pennsylvania Railroad, in testifying about one year ago before a committee of Congress, said that the railroads of the United States during the previous year had constructed 400 miles and lost 700 miles. The net loss to

the railroad system of America was 300 miles. The best railroad experts of America say that transportation doubles every 10 years. The demands of this great country upon the transportation systems of the country double every 10 years, but there has been no railroad mileage doubling during the last 10 years, and there has been no doubling in the number of cars or engines on the railroads.

We need the waterways to help carry freight. A very large volume of freight could be carried on the waterways if properly improved. It should be so carried. The waterways were established by the Creator of the world thousands of years before there were any railways and thousands of years before there were any highways. They are natural carriers of freight. They carry freight cheaper than any other agency can possibly carry it, and we should utilize them to the fullest extent.

Mr. President and Senators, this is the first time in my experience that we are giving the Engineer Corps of the Army a fair show; that we are giving them the money to carry on their work. Do not let the Senate take a backward step now after the House has gone forward to give every dollar the engineers say they can spend wisely. After the Appropriations Committee of this body have recommended to us the giving of the same sum of money which the engineers need, do not let us take a step backward now by refusing to approve the item.

What is the money for? Some Senators do not seem to understand what is to be done with the money. I shall not go into all the items, but I wish to refer to just a few from the testimony of General Taylor, assistant to the Chief of Engineers. He prepared a table which was attached to his testimony and which shows, in the annual report of the Chief of Engineers, the amount that can be profitably expended during the fiscal year ending June 30, 1924, for the maintenance and improvement of river and harbor work, including commerce also for 1921. The table has already been placed in the Record by the Senator from Virginia [Mr. SWANSON]. I shall not put it in the Record again, but I wish to call attention to just a few items.

I see at the start, under the head of "Principal seacoast harbors," a proposed expenditure of \$318,000 for New York Harbor, N. Y., where there was a commerce in 1921 of 22,117,535 tons, a colossal commerce. The commerce of America, to a great extent, comes into that harbor.

For East River, N. Y., there is a proposed expenditure of \$3,025,000, and the commerce through that river was \$32,071,134. That was also a colossal commerce.

For Staten Island Sound, N. Y., there is a proposed expenditure of \$1,000,000. The commerce there in 1921 was \$23,122,843.

On the Delaware River, from Philadelphia to the sea, there is a proposed expenditure of about \$3,000,000. In 1921 the commerce was 15,612,616 tons. I have not the value of that commerce, but it was enormous.

For the Baltimore Channel there is a proposed expenditure of \$650,000, and the commerce during the year 1921 was 11,911,846 tons.

For the Southwest Pass of the Mississippi River, in my own State, there is a proposed expenditure of \$1,500,000. The commerce there in 1921 was 15,123,063 tons.

For Galveston Harbor there is a proposed expenditure out of this item of \$90,000. The commerce there in 1921 was 13,621,173 tons.

For San Francisco Harbor the proposed expenditure is \$340,000 and the commerce is 8,302,725 tons.

For the Hudson River Channel, N. Y., there is a proposed expenditure of \$100,000 and the commerce there in 1921 was 35,168,448 tons.

For Norfolk Harbor, Va., there is a proposed expenditure of \$550,000 and the commerce there in 1921 was 11,623,673 tons.

For Seattle Harbor, in Washington, the proposed expenditure is the infinitesimal sum of \$10,000. The commerce was 4,117,002 tons. The total amount proposed for all of the great harbors which I have named and for many others under this bill is \$19,683,410 for improvement and \$7,375,400 for maintenance, or a total of \$27,058,810. No man in the Senate, no man in the Union, can criticize one single dollar of all those items of appropriation for the great harbors in this country. I have not heard anyone even attempt to offer a criticism.

Then under the second heading are "Secondary harbors and coastwise channels." I will refer to a few of them. They are considered secondary, it will be observed. I find for Bridgeport Harbor, Conn., a proposed expenditure of \$97,000, while the commerce there last year was 762,419 tons. For the Delaware River, from Philadelphia to Trenton, there is a proposed expenditure of \$25,000. On that waterway there was a commerce of 1,760,220 tons. On the Potomac River, coming up from the sea to this city, there is a proposed expenditure of \$74,000, and the commerce last year was 891,792 tons.

I ask leave to embody in my remarks, without reading, some additional figures as to proposed river and harbor expenditures and as to the volume of commerce.

The VICE PRESIDENT. Without objection, permission is granted.

The matter referred to is as follows:

Locality.	Improvement.	Maintenance.	Commerce 1921 (tons).
James River, Va.		\$40,000	388,545
Waterway, Beaufort, S. C., to St. Johns River.		42,000	266,108
Miami Harbor (Biscayne Bay), Fla.		32,500	332,325
Charlotte Harbor, Fla.		5,000	303,576
Calcasieu River and Pass, La.	\$25,800		356,170
Port Bolivar Channel, Tex.		20,000	373,000
Suisun Bay Channel, Calif.		13,000	519,532
Bellingham Harbor, Wash.		5,000	514,595
Agate Harbor, Minn.		2,000	3,980,097
Duluth-Superior Harbor, Minn. and Wis.		50,500	30,083,555
Ashland Harbor, Wis.		6,000	3,183,453
Keweenaw Waterway, Mich.	7,000	70,500	940,681
Green Bay Harbor, Wis.	110,000	10,000	1,146,817
Milwaukee Harbor, Wis.	500,000	118,000	6,431,147
Ludington Harbor, Mich.		150,000	1,830,203
Frankfort Harbor, Mich.		20,000	1,132,000
Chicago Harbor, Ill.		21,000	2,632,343
Calumet Harbor and River, Ill. and Ind.		160,000	6,215,989
Indiana Harbor, Ind.	286,000	38,000	2,395,962
St. Marys River, Mich.		25,000	48,259,254
Channels in Lake St. Clair, Mich.		15,000	57,523,481
Detroit River, Mich.	450,000	10,000	63,973,308
Alpena Harbor, Mich.		5,000	627,740
Toledo Harbor, Ohio.		50,000	9,202,109
Sandusky Harbor, Ohio.	68,000	10,000	2,427,220
Huron Harbor.		5,500	2,214,631
Lorain Harbor, Ohio.		5,000	4,941,882
Cleveland Harbor, Ohio.		25,000	6,200,302
Fairport Harbor, Ohio.		5,000	1,945,310
Ashtabula Harbor, Ohio.		5,000	6,401,667
Erie Harbor, Pa.		10,000	2,325,067
Buffalo Harbor, N. Y.	50,000	21,500	14,732,184
Black Rock Channel and Tonawanda Harbor, N. Y.			
Ogdensburg Harbor, N. Y.	200,000	25,000	1,216,749
Hudson River, N. Y.		2,000	927,760
Black Warrior, Warrior, and Tombigbee Rivers, Ala.		220,000	1,936,901
Between Missouri River and Minneapolis, Minn.	64,000		784,967
Ohio River, lock and dam construction.	1,100,000		761,522
Monongahela River, Pa. and W. Va.	7,000,000		8,037,788
Sacramento River, Calif.	2,000,000		16,100,824
Mattaponi River, Va.		95,000	976,506
Neuse River, N. C.		8,000	96,543
St. Johns River, Palatka to Lake Harney.		12,000	125,479
Tombigbee River, mouth to Demopolis.		10,000	171,086
Pascagoula River, Miss.		18,000	619,391
White River, Ark.		10,000	77,095
St. Francis and L'Angeuille Rivers and Blackfish Bayou, Ark.		22,500	171,044
San Joaquin River, Calif.		9,000	320,242
Willamette River above Portland and Yamhill River.		26,000	646,657
		29,600	1,187,896

RECAPITULATION.

	Improvement.	Maintenance.
Principal seacoast harbors.	\$19,683,410	\$7,375,400
Secondary harbors and coastwise channels.	7,860,900	1,509,600
Lake harbors and channels.	1,726,000	1,450,800

Mr. WILLIS. Mr. President—

Mr. RANDELL. I have not concluded my remarks, I will say to the Senator.

Mr. WILLIS. I wish to ask the Senator a question.

Mr. RANDELL. I shall be delighted if I can answer the question.

Mr. WILLIS. If it will not interrupt the course of the Senator's argument, I should be glad if, before he takes his seat, he would call attention to the tremendous tonnage that is carried from certain ports in Ohio, together with the comparatively small appropriations which are made therefor. The Senator will find that on page 7. I particularly invite his attention to those figures, for it seems to me they are very interesting.

Mr. RANDELL. I will say to the Senator that I have every one of those ports marked, to be inserted in my remarks. Starting with Toledo Harbor, for instance, on which an expenditure is proposed of only \$50,000, the commerce was 9,202,109 tons. At Conneaut Harbor, where the proposed expenditure is \$33,000, the commerce was 1,800,000; and so on. I would gladly call attention to each one of them did time permit. There is a colossal commerce, let me say, at each one of these harbors, while the expenditure is very small.

Mr. President, I happened to be a Member of the House of Representatives many years ago when the improvement of those harbors was under way. It cost very considerable sums, let me say to the Senator, properly to improve those harbors; but they

were improved, and wisely improved, to the great advantage of the American people. The engineers were given the money to improve them. I called attention to the fact that I had never known any failure of appropriations for harbors which are railroad terminals. Let me repeat, whenever there is a harbor which is going to assist the railroad to unload its freight and to load its freight for that harbor liberal appropriations are provided by Congress. If the Senator will go back to the appropriation bills of 25 or 30 years ago, in which provision was made for the improvement of the various harbors to which he alludes, he will find that we were spending a great deal more money on them than is proposed to be expended now. They are completed works—they are finished—we do not have to spend money on them now, thank goodness. A great many of the projects for which the money in this bill is proposed to be expended will be finished in the reasonably near future.

Let me say that one of the greatest expenditures in this bill is about \$7,000,000 for the Ohio River in the Senator's own State. When that \$7,000,000 shall have been expended and about \$13,000,000 additional—for it will cost \$20,000,000 to finish the project—we shall have a permanent system of locks and dams on the Ohio River. We shall not have to spend any more money on the Ohio River. We shall have works made of concrete and steel that will last practically forever. The whole American Republic will derive the greatest benefit from the cheap freight that will go down the Ohio River from the Pittsburgh district.

Do Senators realize that the Pittsburgh district on the Ohio River is the greatest freight center in the world? There is nothing comparable to it anywhere on earth. It is said that the combined freight of the Pittsburgh district—by that I mean the city of Pittsburgh, up the Monongahela River a few miles, and down the river for 50 miles—is greater than all the freight of the five greatest ports on earth; greater than the freight of New York, London, Liverpool, Hongkong, and Antwerp combined. It is a marvelous section. That freight is composed largely of iron and coal and steel and the products thereof and many other minerals. That tremendous production will go down the Ohio River on this improved canalized stream, which will be 9 feet deep from Pittsburgh to Cairo. It will go down to the Mississippi on the improved Mississippi. It will cheapen transportation to a remarkable extent for all the middle and western sections of our country and for foreigners who buy our products, for, let me say to Senators, it is infinitely cheaper to carry freight 2,000 miles to the Gulf of Mexico by water than to carry it 400 miles across the mountains to the Atlantic Ocean. The whole country will derive benefit from that great improvement.

Again let me ask the Senator from Ohio to join in helping to complete the great work on that great river in his State, as we did complete the work on the great harbors in the northern part of his State.

Mr. KING. Mr. President, may I make an inquiry of the Senator?

Mr. RANSDALL. I will be delighted to answer the Senator if I can.

Mr. KING. While the Senator was referring to the tremendous quantity of freight which had its origin in and about Pittsburgh and his prophecy as to what would be the future of traffic upon the Ohio River, I was wondering what proportion of the freight which had its origin in the district to which the Senator refers goes to New Orleans and to territory that would be reached from the port in New Orleans. If the Mississippi River is so valuable for that purpose, why has it not been used in the past for the purpose of transporting coal and iron and steel and what not from the Pittsburgh district to New Orleans?

Mr. RANSDALL. For the simple reason that the river has never been completely improved. There is a period of several months during low water it is possible to wade across the Ohio River at many points. So the river can not be used except during the season of high water, which is a very limited period. When the improvement of the river is completed by canalization, as it will be under the existing project, the river will have an annual, all-the-year-around depth of 9 feet, except for a brief period when it may be closed by ice. Where there is a sure and certain period of navigation, commerce is bound to flow that way, because river transportation is so much cheaper than rail transportation.

In the early days, I may say to the Senator, before there were any railroads in operation and when the only means of transportation on land was by wagon, there was a very large commerce on the Ohio River which went down that river and the Mississippi in flatboats following the spring floods, and

then the boats were broken up at the city of New Orleans. However, after the railroads began operation, the Senator knows very well that a railroad which operates 365 days in the year is certainly going to be used instead of a river which can not operate anything like 150 days during the year. There must be certainty of transportation; it must be steady; it must be reliable. That is why the Ohio River has not been used, but it will be used when the improvement is completed.

Senators, I do not propose to discuss this measure any further. The House passed this item, it has been recommended by the Appropriations Committee, and is now before us. I think we should adopt it; I think we should give the engineers of the Army a chance to see what they can do with the various projects which have been approved. One thing is certain: We ought either to give them money to finish the improvement of our great interior waterways or we ought to make a declaration that we do not intend to improve them—one or the other. It is unwise, it is foolish in the extreme to carry on these works for an indefinite period, well knowing that we can derive no material benefit from them until they are completed.

Mr. WILLIS. Mr. President, I had not thought of saying anything at all concerning this item at this time, but the remarks which were indirectly addressed to me by my good friend, the able Senator from Louisiana, seem to make it necessary that I should say a word in order that he and others may not misunderstand my position.

I am delighted to know—indeed, I had no doubt about the matter—that the Senator from Louisiana is in favor of appropriations for really meritorious works in connection with rivers and harbors. I do not need, however, to be urged by him to support such appropriations, because I have always been in favor of them and have openly so stated.

The Senator, I think, knows the ground of my objection to some features of this bill. As I said this morning, I am in favor of appropriations for improvements that begin somewhere and end somewhere, that are part of a real system. There are items in this bill, Mr. President, that are open, I think, to proper criticism. Without referring to any particular one, except as I may refer to the figures as I glance over them, let me call the attention of the Senate to an appropriation of \$4,100 for a project where, so far as the figures show, there is no commerce at all.

Mr. RANSDALL. Will the Senator give the name?

Mr. WILLIS. Here is another item of \$4,000 for the improvement of a river where last year there were only 1,500 tons of commerce. I notice another item of \$10,000 for a project where there were only 5,000 tons of commerce.

Here is another interesting item, being an estimate of \$9,000 for maintenance of a project where last year there were only 80 tons of commerce. That is a large amount to pay for the transportation of 80 tons of freight. I note another item of \$15,000—

Mr. RANSDALL. Mr. President, will not the Senator kindly go a little more into detail, so that we may examine the facts as to the various projects? I do not know to what items the Senator is referring.

Mr. WILLIS. I am referring to page 6 of the report, a copy of which the Senator has. My eye caught on page 6 an item of \$15,000 for the maintenance of a project where there were carried last year 40 tons of commerce. It would seem to me that that would be a rather high rate to pay for the transportation of 40 tons of freight, and that expenditure is merely for the maintenance of the improvement. Here is another one, just a few lines below that, where \$2,000 was paid out last year and only twelve hundred and odd tons of commerce were carried.

It seems to me that those items are properly subject to criticism; but, since the Senator was referring to the matter, I desire to place in the RECORD at this point, without reading all of them, some items of appropriations relative to my own State.

The Senator very properly has referred to Toledo Harbor, which, as he has correctly stated, was improved a number of years ago. I invite his attention to the fact that there are only eight harbors in the whole United States that have a larger commerce than Toledo. Those eight harbors are New York, Boston, Philadelphia, Baltimore, Norfolk, Galveston, Duluth-Superior, and Buffalo.

The next one in point of importance is Toledo, with over 9,000,000 tons of commerce the last year, for which we have figures, and yet an appropriation for maintenance of only \$50,000 is made. As the Senator has correctly said, large amounts were expended in making that improvement, and yet, as I happen to know personally, the amount that is now provided for maintenance is not sufficient to keep that improve-

ment in workable condition. In other words, the channel that has been made at great expense is gradually closing up.

Here is another to which he referred—Conneaut Harbor. Last year that harbor had 7,800,000 tons of commerce, and yet for maintenance, as suggested here, there is given only \$8,000.

What I am complaining about is that we are liberal in the appropriations for places that have practically no commerce and no guaranty that there will be any, and yet we are parsimonious when it comes to making appropriations for places where there actually is some commerce and some probability that it may increase.

I ask unanimous consent to place in the Record at this time the statement of the appropriations proposed for the various Ohio projects on Lake Erie.

The VICE PRESIDENT. Without objection, it is so ordered. The statement referred to is as follows:

Locality.	Improve- ment.	Mainte- nance.	Commerce 1921 (tons).
Toledo Harbor, Ohio.....		\$50,000	9,202,109
Sandusky Harbor, Ohio.....	\$58,000	10,000	2,427,220
Huron Harbor, Ohio.....		5,500	2,214,631
Lorain Harbor, Ohio.....		5,000	4,941,882
Cleveland Harbor, Ohio.....		25,000	6,200,362
Fairport Harbor, Ohio.....		5,000	1,945,310
Ashtabula Harbor, Ohio.....		5,000	6,401,667
Conneaut Harbor, Ohio.....		25,000	7,800,000

Mr. WILLIS. It thus appears that for Ohio projects located on Lake Erie only \$83,000 is proposed to be spent for new work in the year for which appropriation is being made, and \$113,000 for maintenance, or a total of \$196,000 for the year, although the commerce of those ports in 1921 aggregated 41,000,000 tons, or over 200 tons of freight for every dollar spent for improvement and maintenance per annum.

Mr. McCUMBER. Mr. President, as I understand, the Senator is reading from the recommendations of the engineers?

Mr. WILLIS. Yes.

Mr. McCUMBER. And the Senator proposes in this case to follow their recommendations blindly?

Mr. WILLIS. If the Senator is referring to my opposition to his amendment which I voiced some time ago, I was replying to the suggestions that were made by the Senator from Louisiana [Mr. RANSDELL] touching the appropriations that were made for Ohio. Yes; I know of no other way. I will say to the Senator frankly that if we start in, if we adopt the Senator's amendment, then there are going to be amendments offered here touching a number of these items, and we probably will get no river and harbor bill, and may not get any Army appropriation bill at all. So I think it is unwise to adopt his amendment, though I think the items I referred to are unjust so far as Ohio is concerned.

Mr. WALSH of Montana. Mr. President, the debate nominally upon the amendment offered by the Senator from North Dakota [Mr. McCUMBER] has proceeded far afield. A large part of it has been devoted to the general policy of the appropriations for rivers and harbors rather than to the amendment that is before the Senate. I desire to say a few words in relation to that amendment.

The policy of making lump-sum appropriations was adopted by the Congress because of the scandal—and it can be described by no more temperate term—arising from log-rolling appropriations for creeks and little streams on which there never was any commerce and probably never would be any commerce, and many of which were of such a trifling character that the ordinary supply of water had to be augmented artificially in order to float any kind of a boat on them.

The Missouri River is not in that class, Mr. President, at any point below Fort Benton. It is a matter of history that early in the last century, immediately following the historic exploration of Lewis and Clark, a very considerable commerce was developed on the Missouri River. It was incident to the romantic fur trade that was carried on through all that Northwest country. Indeed, Mr. President, the navigation was not confined to the main stream, but extended up the great tributary, the Yellowstone, as far as where the city of Billings now is. It was so important, Mr. President, that Fort Benton was established by the Government as a military post away back in 1846, and became the distributing point for an enormous commerce that was carried on not only with the adjacent territory within the United States but with the Canadian posts in the Northwest Territory.

After gold had been discovered in Montana, the commerce reached very gigantic proportions; and accordingly the Missouri River has always been regarded as a stream worthy of

consideration in connection with the appropriations made in the annual rivers and harbors bill. In recent years, when the work has been carried on more systematically, the Missouri River has been divided for the purpose of making appropriations into three parts—the part extending from the mouth to Kansas City, the part extending from Kansas City to Sioux City, and the part extending from Sioux City to Fort Benton. Each of these is considered a project, and none of them are new projects at all. They are old projects, for the prosecution of which appropriations have been made for many years.

I turn, for instance, at random, to the statutes for the year 1912, and find at page 219, in the appropriation bill for that year for the improvement of rivers and harbors, the following in relation to the Missouri:

Improving Missouri River: For improvement and maintenance from Kansas City to Sioux City, \$75,000; for improvement and maintenance from Sioux City to Fort Benton, in accordance with the report submitted in House Document No. 91, Sixty-second Congress, first session, \$150,000; in all, \$225,000.

And for the succeeding year the appropriation, found on page 818 of the volume of statutes for 1911–13, includes the following item:

Improving Missouri River: For improvement and maintenance from Kansas City to Sioux City, \$150,000, of which amount at least \$75,000 may be expended for such bank revetment as in the judgment of the Chief of Engineers may be in the interests of navigation; continuing improvement and for maintenance from Sioux City to Fort Benton, in accordance with the report submitted in House Document No. 91, Sixty-second Congress, first session, \$175,000, of which amount, because of present emergency, an amount not exceeding \$75,000 may be expended for such bank revetment above Elk Point as in the judgment of the Chief of Engineers may be necessary to extend and protect existing revetments and regulate channel flow in the interest of navigation; in all, \$325,000.

But the question as to whether the project falls within the general description of the projects upon which improvements are to be made seems to be settled by the last report of the Chief Engineer of the Army, on page 1284, which speaks of the improvement of the Missouri River between Sioux City and Fort Benton as an existing project. The history of the improvement is there detailed, and it speaks of the original condition of previous projects and of the existing project, so that it is simply a question as to whether the allotment ought to be made here or ought to be made by the Army engineers.

It is now said that the tonnage in this part of the river is not extensive; and that is, of course, true. The appropriations that have been made have been proportionately small; but, Mr. President, the fact that the commerce in that part of the river is not as great as it once was does not distinguish it in any respect from other projects which have received favorable consideration from the Army engineers.

The simple question presented by this amendment is as to whether the total amount of \$1,540,000 to be expended upon the Missouri River shall be distributed as proposed by the engineers—namely, \$1,500,000 between Kansas City and the mouth of the river, \$25,000 between Kansas City and Sioux City, and \$15,000 between Sioux City and Fort Benton, a distance of nearly 1,500 miles—or whether a larger amount of that allotment to the Missouri River shall be expended above.

I called attention to the fact that the rather small commerce carried on in the upper Missouri during the last few years was due obviously to the paucity of the crop in that locality. As they improve, and as greater development takes place, we may reasonably hope that the commerce will increase; but I call attention to the fact—

Mr. McCUMBER. Mr. President, may I state right here that even to-day I was informed that the boat lines running and operating now would haul between 550,000 and 750,000 bushels of wheat alone of the crop of 1922, provided they can at all times get up to the landing places; and with 700,000 bushels that would be 21,000 tons of wheat alone, showing a vast improvement.

Mr. WALSH of Montana. Yes.

I desire to call attention to the amount of commerce on the river between Kansas City and the mouth of the river, upon which this very considerable sum of \$1,500,000 is to be expended.

In 1917 the commerce was 217,616 tons; in 1918, 142,981 tons; in 1919, 141,094 tons; in 1920, 203,153 tons; and in 1921, 139,544 tons. That is to say, in five years there has been a falling off in that commerce of something like 40 per cent, a very much higher falling off than there has been on the upper reaches of the river.

Accordingly, Mr. President, it becomes simply a question as to whether the Congress is going to surrender absolutely and without any control whatever the distribution of the funds which it provides as between different sections of one particular

river to the judgment of these Army engineers. As pointed out by the Senator from Arkansas, few of them are trained business men. It becomes a very serious question, a serious question of wisdom from a political and economical standpoint, as to whether this enormous expenditure ought to be made in that section of the country, which is rich, which is populous, which is densely settled, and leave entirely without consideration and without care those sections of the country which need development, which require assistance, and which ought to have the consideration of the Government in order to afford cheaper facilities for transportation.

Moreover, Mr. President, it is to be borne in mind that much of the region that is affected by the appropriation which is asked by this amendment is distant from the terminal markets. That portion of my State which would be benefited by the appropriation if it were made lies at least from 600 to 1,100 miles from the market, an enormous distance to carry the products, and necessarily a large amount of what is realized for the goods goes for transportation. It is an exceedingly great burden upon those people to have to carry their freight to the distant railroad points when it might conveniently be taken to river points and carried on boats down to the railroad crossings, whence they might proceed to the terminal markets. It is a question of policy which I undertake to say Army engineers are not very competent to pass upon.

Mr. WILLIS. Mr. President—

Mr. WALSH of Montana. I yield.

Mr. WILLIS. I am interested in the argument the Senator is making about reaching the terminal markets, and I am not able to follow him in it. As I understand it, the amendment which he is supporting provides improvement on the Missouri River from Sioux City to Fort Benton. Is that correct?

Mr. WALSH of Montana. Yes; that is correct.

Mr. WILLIS. But nothing is proposed for the section on down to Kansas City. How does the Senator expect the shippers to reach the terminal markets by such an improvement?

Mr. WALSH of Montana. The Senator from North Dakota made it perfectly clear that the carriage would be from the interior points to the points where the river is crossed by the railroads. The Missouri River is crossed by the Northern Pacific at Bismarck, and crossed by the Great Northern at Buford, so that both lines of railroads crossing the river would take up at those two points grain destined for Minneapolis or Duluth.

Mr. WILLIS. I understand the Senator's argument on that point, but I thought he was contending that this would help the development of a system whereby there would be water transportation to the terminal markets. I misunderstood the Senator's line of argument.

Mr. WALSH of Montana. No; never since the early days has there been any considerable amount of freight carried down the Missouri River to St. Louis, for instance, or to New Orleans. That is not a consummation that is likely to arise. I may say to the Senator, however, that I should think that in the distribution of these funds a very considerable amount might also be allotted to the improvement between Kansas City and Sioux City. It seems to me that of the amount appropriated for the improvement of the river the allotment of \$1,500,000 to that section of the river between Kansas City and the mouth is entirely unjustified, and I have not heard anybody upon this floor undertake to justify it as a matter of comparison with the other sections of the river. I undertake to say that the Senator from Ohio will not undertake to justify it upon anything found even in the report of the engineers upon the subject.

Mr. WILLIS. I make no comment about it. I was seeking to understand the Senator's argument.

Mr. WALSH of Montana. I am sure the Senator will not comment on it, nor has any other Senator undertaken to make any comment to justify that distribution of the amount which is set apart for the improvement of the Missouri River. Accordingly, I hope that this amendment will prevail.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from North Dakota.

Mr. KING. I think, upon this amendment, a quorum should be present, and I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The reading clerk called the roll, and the following Senators answered to their names:

Ball	Capper	Fernald	Harrell
Bayard	Caraway	Fletcher	Harrison
Borah	Colt	Frelinghuysen	Heflin
Brandeggee	Couzens	George	Johnson
Brookhart	Curtis	Gerry	Jones, Wash.
Broussard	Dial	Glass	Kendrick
Bursum	Dillingham	Gooding	King
Cameron	Ernst	Hale	Ladd

Lenroot	New
Lodge	Norbeck
McCormick	Norris
McCumber	Pepper
McKellar	Philips
McKinley	Pittman
McNary	Poindexter
Moses	Ransdell
Nelson	Reed, Pa.

Sheppard
Smoot
Spencer
Stanfield
Stanley
Sterling
Sutherland
Swanson
Townsend

Trammell
Wadsworth
Walsh, Mass.
Walsh, Mont.
Warren
Willis

The PRESIDING OFFICER (Mr. LADD in the chair). Sixty-five Senators having answered to their names, a quorum is present. The question is on agreeing to the amendment offered by the Senator from North Dakota [Mr. McCUMBER].

Mr. NORRIS. Let the amendment be reported.

The READING CLERK. On page 106, after the numerals in line 12, to insert the following proviso:

Provided, That \$250,000 of this appropriation, or so much thereof as may be necessary, shall be expended between Sioux City, Iowa, and Fort Benton, Mont., for the removal of obstructions, the revetment of shores where the same may be necessary, and for the maintenance of the channel to landing places and at points where the railroads intersect the Missouri River, said last-mentioned sum to be immediately available.

Mr. WADSWORTH. I ask for the yeas and nays.

The yeas and nays were ordered, and the reading clerk proceeded to call the roll.

Mr. HALE (when his name was called). I transfer my pair with the senior Senator from Tennessee [Mr. SHIELDS] to the junior Senator from Maryland [Mr. WELLER] and vote "nay."

Mr. KING (when his name was called). I have a pair upon this and all matters relating to the pending bill with the senior Senator from Arkansas [Mr. ROBINSON], who is necessarily detained from the Chamber. Not knowing how he would vote upon the pending amendment, I withhold my vote.

Mr. LODGE (when his name was called). I have a general pair with the senior Senator from Alabama [Mr. UNDERWOOD], but I understand that he would vote as I am about to vote. So I feel at liberty to vote. I vote "nay."

Mr. STERLING (when his name was called). I transfer my pair with the Senator from South Carolina [Mr. SMITH] to the Senator from Iowa [Mr. CUMMINS], and vote "yea."

Mr. TOWNSEND (when his name was called). I have a pair on the pending bill with the senior Senator from Georgia [Mr. HARRIS], but on this amendment he would vote as I shall do. So I feel at liberty to vote. I vote "nay."

The roll call was concluded.

Mr. FERNALD. I have a general pair with the Senator from New Mexico [Mr. JONES]. I transfer that pair to the junior Senator from Vermont [Mr. PAGE] and vote "nay."

Mr. CURTIS. I wish to announce the following general pairs:

The Senator from New Jersey [Mr. EDGE] with the Senator from Oklahoma [Mr. OWEN];

The Senator from West Virginia [Mr. ELKINS] with the Senator from Mississippi [Mr. HARRISON];

The Senator from Minnesota [Mr. KELLOGG] with the Senator from North Carolina [Mr. SIMMONS];

The Senator from Indiana [Mr. WATSON] with the Senator from Mississippi [Mr. WILLIAMS]; and

The Senator from Connecticut [Mr. McLEAN] with the Senator from Montana [Mr. MYERS].

Mr. GERRY. I wish to announce that the senior Senator from Arkansas [Mr. ROBINSON] and the senior Senator from Georgia [Mr. HARRIS] are absent on official business.

Mr. HEFLIN. I wish to announce that the Senator from South Carolina [Mr. SMITH] is necessarily absent. He stands paired on this vote with the Senator from Iowa [Mr. CUMMINS].

The result was announced—yeas 15, nays 46—as follows:

YEAS—15.

Brookhart	Heflin	McKellar	Sheppard
Broussard	Kendrick	Nelson	Sterling
Bursum	Ladd	Norbeck	Walsh, Mont.
Ernst	McCumber	Poindexter	

NAYS—46.

Ball	Fletcher	McCormick	Stanfield
Bayard	Frelinghuysen	McKinley	Stanley
Borah	George	McNary	Sutherland
Brandeggee	Gerry	Moses	Swanson
Cameron	Glass	New	Townsend
Capper	Gooding	Norris	Trammell
Colt	Hale	Pepper	Wadsworth
Couzens	Harrell	Philips	Walsh, Mass.
Curtis	Johnson	Pittman	Warren
Dial	Jones, Wash.	Ransdell	Willis
Dillingham	Lenroot	Reed, Pa.	
Fernald	Lodge	Spencer	

NOT VOTING—35.

Ashurst	Harrison	Nicholson	Shortridge
Calder	Hitchcock	Oddie	Simmons
Caraway	Jones, N. Mex.	Overman	Smith
Culberson	Kellogg	Owen	Smoot
Cummins	Keyes	Page	Underwood
Edge	King	Pomerene	Watson
Elkins	La Follette	Reed, Mo.	Weller
France	McLean	Robinson	Williams
Harris	Myers	Shields	

So Mr. McCUMBER's amendment was rejected.

Mr. WADSWORTH. Mr. President, it is now 5 minutes past 5, and it is desired to have an executive session this evening. I think probably the Senate is not in a mood to do any more work on the bill to-night. Therefore I desire to present a unanimous-consent request. I ask unanimous consent that the Senate, at not later than 2 o'clock to-morrow afternoon, shall proceed to vote, without further debate, upon all amendments which may be pending to the river and harbor item of the bill.

Mr. KING. A number of amendments will be offered to-morrow, among them one of which I am about to give notice, dealing with the Philippine Islands.

Mr. WADSWORTH. But I am not asking unanimous consent in connection with anything other than the river and harbor item. I know of other amendments, of course, which are to be offered to other portions of the bill.

Mr. KING. Let me say to the Senator that an amendment will be offered to strike out the entire appropriation carried in the bill for rivers and harbors. In order to emphasize the point that was made by the Senator from Idaho [Mr. BORAH], I will state that that will take some time. There will be several amendments offered with reference to the same item, for instance, proposing to reduce it to the amount provided in the Budget estimate. I have several other amendments with relation to the same subject matter. I have no objection, however, if the Senator would fix a later hour.

Mr. WADSWORTH. Does not the Senator think that in three hours of debate to-morrow we can dispose of the amendments which may be pending?

Mr. KING. If the Senator would make it 3 o'clock I would have no objection. I promise the Senator that I shall attempt to facilitate the disposition of the matter.

Mr. WADSWORTH. I will accept that suggestion.

Mr. KING. That is, as to items dealing with the river and harbor paragraph?

Mr. WADSWORTH. Just the river and harbor paragraph.

Mr. McCUMBER. To dispose of it finally at that hour?

Mr. WADSWORTH. Yes.

Mr. McCUMBER. I object.

Mr. WADSWORTH. May I ask the Senator from North Dakota if he has an objection to fixing an hour at any time on the river and harbor item?

Mr. McCUMBER. I think the debate we have had to-day signifies a great many views as to requirements for the use of an enormous amount of the fund that is proposed to be appropriated, and there ought to be time enough to debate it and to prepare for amendments to cut down the appropriation. I doubt if we can prepare them and have them debated properly during to-morrow.

Mr. BRANDEGEE. I understood the Senator from New York to ask consent to vote without further debate only upon the pending amendments.

Mr. WADSWORTH. Yes; pending amendments.

Mr. BRANDEGEE. Not those that may be offered hereafter.

Mr. WADSWORTH. No; if I spoke in that way I should have said amendments then pending. There are no amendments pending now. Of course, I know some will be offered to-morrow.

Mr. BROUSSARD. Why not vote now? There is nothing pending.

Mr. BORAH. There will be something pending if there is a necessity for something to be pending.

Mr. WADSWORTH. The inquiry of the Senator from Louisiana is an entirely intelligent one, except that the Senator from New York happens to know that amendments would be offered immediately. Anticipating that, I thought the Senate might like to get away from here this evening in a few moments after simply laying out a program for to-morrow. I desire to change my request, and I call this to the attention of the Senator from North Dakota. Would the Senator from North Dakota be willing to make it half-past 3 o'clock?

Mr. McCUMBER. I do not think that we should be bound, when it comes to the expenditure of some \$29,000,000 more than the Director of the Budget called for, to such a very short time. It does not seem to me that we ought to be limited to two or three hours of debate to-morrow.

Mr. WADSWORTH. That would give us four and one-half hours.

Mr. McCUMBER. I would think there ought to be some explanation of why it is necessary to ask \$29,000,000 over and above what the Director of the Budget estimated for and over and above the estimates of the engineers, when it has already been called to our attention that the engineers have made estimates for enormous expenditures where there will be no commerce whatever. I think it would take the Senator from New York more than three or four hours to explain why we should have the extra \$29,000,000.

Mr. WADSWORTH. Perhaps the Senator was not in the Chamber this afternoon when I attempted to explain why the appropriation was in the bill.

Mr. McCUMBER. I was in the Chamber all day, and I fully understand why the appropriation is in the bill, but unless we are to bow slavishly to whatever may be the dictate of the engineers, then we ought to have at least some reason given by the Senator in charge of the bill why we should more than double even the estimates of the engineers. We ought to go over the items for which they have estimated one after another and ascertain the necessity for them. Unless we are going simply to surrender to them, we ought to have the Senator from New York explain their necessity and what advantage would be obtained by the Government.

Mr. WADSWORTH. Before that task is put to me, I beg to say that I shall not undertake it. There are other Senators who are better informed.

Mr. McCUMBER. Does the Senator mean to say that he will advocate the swallowing of the pill, large as it is, without knowing what is in it?

Mr. WADSWORTH. Only this afternoon I protested against it. Why does the Senator ask that question?

Mr. McCUMBER. As the Senator in charge of the bill, I would suppose he would have something to say further than merely making a general protest, and that he would show why it is improper to allow this item and that item.

Mr. WADSWORTH. Is the Senator opposed to fixing any time to-morrow?

Mr. McCUMBER. Yes; any time to-morrow.

Mr. WADSWORTH. Then, there is no use making any further requests.

Mr. KING. Mr. President, I desire to give the following notice:

Pursuant to the provisions of Rule XL of the Standing Rules of the Senate, I hereby give notice in writing that I shall move to suspend paragraph 3 of Rule XVI of the Standing Rules for the purpose of proposing to the Army appropriation bill H. R. 13793 the following amendment:

"At the proper place in the bill, insert the following:
 "That in conformity with the act entitled 'An act to declare the purpose of the people of the United States as to the future political status of the people of the Philippine Islands and to provide a more autonomous government for those islands,' approved August 20, 1916, the Philippine Legislature is hereby authorized to provide for a general election of delegates to a constitutional convention which shall prepare and formulate a constitution for an independent republican government for the Philippine Islands, and that upon the ratification and promulgation of said constitution and the election of the officers therein provided for and upon satisfactory proof that the government provided for under said constitution is organized and ready to function, the President of the United States shall recognize and proclaim the independence of the Philippine government under said constitution and shall notify the governments with which the United States is in diplomatic correspondence thereof, and shall invite said governments to recognize the independence of the Philippine Islands; and that the President is directed to withdraw the military forces of the United States from said islands within six months after said proclamation recognizing the independence of said Philippine government."

Mr. HARRISON. Mr. President—

Mr. WADSWORTH. Does the Senator from Mississippi desire to make a request? I wish to move an executive session.

Mr. HARRISON. I understood the Senator from New York a few moments ago to ask that the Senate vote on the pending items in the bill not later than half past 3 o'clock to-morrow. I knew there was a disposition to rush things along on the other side of the Chamber, but I will ask, since there was objection to the Senator's former request, will he not now request that we vote, say, at 4.30 o'clock to-morrow?

Mr. WADSWORTH. The Senator from North Dakota [Mr. McCUMBER] made an announcement a moment ago that he would not agree upon any time for a vote.

Mr. HARRISON. I did not hear that statement.

Mr. NORRIS. I wish to inquire of the Senator from New York, does he contemplate making a motion to adjourn or to take a recess?

Mr. WADSWORTH. An order was entered by unanimous consent early to-day for a recess.

Mr. NORRIS. When was that done?

Mr. WADSWORTH. The Senator from Kansas made the request before luncheon, I think.

Mr. KING. The request was made about 2 o'clock.

Mr. NORRIS. I had spoken to several Senators who I thought would have charge of that matter, but I did not see the Senator from Kansas. I informed each one of those Senators if the request was made and I was not here that I desired to be notified and told them why. On yesterday I gave notice, as I had to do under the rules, of a motion which I intended to make to suspend the rule in order that I might offer an amendment. Under the rule such a notice must lie over for a day. The Senator from Utah [Mr. KING], as I understand, has given a similar notice.

Mr. WADSWORTH. Mr. President, the Senator from Nebraska did discuss this matter with me, and I understand, of course, the difficulty in which he finds himself with respect to being able to offer to this bill the amendment which he contemplates. I am going to make a suggestion in the open Senate. The Senator from Nebraska in good faith offered an amendment on yesterday and then gave notice that he would move to suspend the rule. The rule provides that such a notice must go over one legislative day in advance of calling up a motion to suspend the rules. I ask unanimous consent that the notice given by the Senator from Nebraska—

Mr. KING. I ask the Senator from New York to also include my notice in his request.

Mr. WADSWORTH. And also that the notice just given by the Senator from Utah [Mr. KING] be deemed sufficient under the rule.

Mr. FLETCHER. In other words, so far as the notices are concerned, that the taking of a recess shall not interfere with the calendar day?

Mr. WADSWORTH. Yes.

The VICE PRESIDENT. The Chair thinks the rule refers to the calendar day.

Mr. WADSWORTH. The impression has been that it meant legislative day, but I do not desire that there shall be any mistake about the matter.

The VICE PRESIDENT. Is there objection to the request of the Senator from New York? The Chair hears none, and it is so ordered.

EXECUTIVE SESSION.

Mr. WADSWORTH. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened; and (at 5 o'clock and 25 minutes p. m.) the Senate, under the order previously entered, took a recess until to-morrow, Wednesday, February 7, 1923, at 11 o'clock a. m.

NOMINATIONS.

Executive nominations received by the Senate February 6 (legislative day of February 5), 1923.

APPOINTMENTS IN THE REGULAR ARMY.

To be second lieutenants with rank from January 5, 1923.

Glen Trice Lampton, Air Service.

Vikings Torsten Ohrbom, Infantry.

(NOTE.—Mr. Lampton will reach the age of 21 years February 11, 1923, and Mr. Ohrbom February 14, 1923. Nominations will be again submitted on or after February 14, 1923.)

POSTMASTERS.

ARKANSAS.

Lena C. Bundren to be postmaster at Biggers, Ark. Office became presidential January 1, 1923.

CALIFORNIA.

Walter P. Cockley to be postmaster at Calexico, Calif., in place of F. W. Roach, removed.

John L. Steward to be postmaster at Monterey, Calif., in place of J. L. Steward. Incumbent's commission expired October 24, 1922.

Flournoy Carter to be postmaster at Oxnard, Calif., in place of G. R. Bellah. Incumbent's commission expired September 5, 1922.

CONNECTICUT.

Norman C. Kruer to be postmaster at Shelton, Conn., in place of D. J. Teevan. Incumbent's commission expired September 5, 1922.

FLORIDA.

Albert H. Maxwell to be postmaster at Eastport, Fla. Office became presidential January 1, 1923.

IDAHO.

Osmond Buchanan to be postmaster at Blackfoot, Idaho, in place of Gregory Jones. Incumbent's commission expired September 5, 1922.

ILLINOIS.

Paul M. Green to be postmaster at Bluffs, Ill., in place of P. C. Burrus. Incumbent's commission expired December 6, 1922.

Viola E. Buckingham to be postmaster at Washburn, Ill., in place of F. A. Ehringer. Incumbent's commission expired October 24, 1922.

IOWA.

Cornelius A. Rubly to be postmaster at Elma, Iowa, in place of J. W. Cannon. Incumbent's commission expired September 5, 1922.

KANSAS.

Lewis Pickrell to be postmaster at Minneapolis, Kans., in place of J. M. Brown. Incumbent's commission expired September 13, 1922.

MAINE.

James Mahaney to be postmaster at Cherryfield, Me., in place of F. E. Grant. Incumbent's commission expired October 24, 1922.

MASSACHUSETTS.

Nathaniel P. Coleman to be postmaster at Hyannis, Mass., in place of E. F. Maher. Incumbent's commission expired October 1, 1922.

MICHIGAN.

William C. Thompson to be postmaster at Midland, Mich., in place of L. D. Madill, removed.

Josephine O'Leary to be postmaster at Carrollton, Mich. Office became presidential January 1, 1923.

MINNESOTA.

Anna W. Isaacson to be postmaster at Palisade, Minn., in place of Lydia Bailey, resigned.

Samuel A. Nystrom to be postmaster at Watertown, Minn., in place of S. A. Nystrom. Incumbent's commission expired March 16, 1921.

MISSOURI.

Everett Drysdale to be postmaster at Butler, Mo., in place of J. E. Williams. Incumbent's commission expired September 5, 1922.

Margaret C. Lester to be postmaster at Desloge, Mo., in place of W. T. Newman. Incumbent's commission expired September 5, 1922.

Andrew L. Woods to be postmaster at Naylor, Mo., in place of J. M. Marlin. Incumbent's commission expired September 5, 1922.

NEBRASKA.

William R. Brooks to be postmaster at Campbell, Nebr., in place of L. H. Eastman. Incumbent's commission expired October 3, 1922.

Edward T. Best, jr., to be postmaster at Neligh, Nebr., in place of T. A. Davis. Incumbent's commission expired October 3, 1922.

Ray L. Mallory to be postmaster at Pierce, Nebr., in place of J. B. McDonald. Incumbent's commission expired October 3, 1922.

James W. Holmes to be postmaster at Plattsmouth, Nebr., in place of D. C. Morgan. Incumbent's commission expired November 21, 1922.

John Becker to be postmaster at Stanton, Nebr., in place of T. A. Sharp. Incumbent's commission expired October 3, 1922.

Percy A. Brundage to be postmaster at Tecumseh, Nebr., in place of E. D. Wright. Incumbent's commission expired October 3, 1922.

NEW JERSEY.

Horace E. Richardson to be postmaster at Cape May Court House, N. J., in place of E. C. Wheaton. Incumbent's commission expired October 24, 1922.

Lewis E. Matteson to be postmaster at Grantwood, N. J., in place of L. E. Matteson. Incumbent's commission expired October 24, 1922.

Thomas J. Raber to be postmaster at Hampton, N. J., in place of B. F. Apgar. Incumbent's commission expired October 24, 1922.

George F. Moore to be postmaster at Oradell, N. J., in place of G. F. Moore. Incumbent's commission expired October 24, 1922.

Frederick C. Docker to be postmaster at Oxford, N. J., in place of E. W. Sharps. Incumbent's commission expired October 24, 1922.

Richard Lufburrow to be postmaster at Middletown, N. J. Office became presidential January 1, 1923.

NEW MEXICO.

Vida B. Brittingham to be postmaster at Fort Sumner, N. Mex., in place of J. E. Pardue. Incumbent's commission expired October 14, 1922.

NEW YORK.

John J. Finnerty to be postmaster at Croton on Hudson, N. Y., in place of J. J. Finnerty. Incumbent's commission expired March 15, 1920.

Chauncey H. Brown to be postmaster at South Dayton, N. Y., in place of Verne Seeber. Incumbent's commission expired November 21, 1922.

James I. Fanning to be postmaster at Southhold, N. Y., in place of W. A. Cochraw. Incumbent's commission expired October 24, 1922.

Lester B. Dobbin to be postmaster at Wolcott, N. Y., in place of C. T. Metcalf. Incumbent's commission expired September 28, 1922.

Lillian D. Hill to be postmaster at Bayville, N. Y. Office became presidential January 1, 1923.

NORTH DAKOTA.

Alfred B. Welch to be postmaster at Mandan, N. Dak., in place of John Foran. Incumbent's commission expired September 5, 1922.

OHIO.

Charles S. McMaken to be postmaster at Covington, Ohio, in place of C. B. Maier, resigned.

Herbert E. Whitney to be postmaster at Danville, Ohio, in place of C. V. Burris, removed.

William M. Carlisle to be postmaster at Gambier, Ohio, in place of C. R. Jackson, resigned.

OKLAHOMA.

Dory E. McKenney to be postmaster at Custer, Okla., in place of T. P. Stone. Incumbent's commission expired October 24, 1922.

Ada Bartels to be postmaster at Denoya, Okla. Office became presidential January 1, 1923.

PENNSYLVANIA.

Whitfield Pritchard to be postmaster at Bangor, Pa., in place of David Burke. Incumbent's commission expired September 13, 1922.

Earl H. Hilgert to be postmaster at Cresco, Pa., in place of J. F. Henry. Incumbent's commission expired March 21, 1922.

Otto R. Baer to be postmaster at Irwin, Pa., in place of J. C. Shields. Incumbent's commission expired September 13, 1922.

SOUTH DAKOTA.

Truman C. Knott to be postmaster at Bristol, S. Dak., in place of Thomas McAllen. Incumbent's commission expired September 11, 1922.

TEXAS.

Charles J. Hostrasser to be postmaster at Hearne, Tex., in place of F. W. Easterwood. Incumbent's commission expired September 5, 1922.

Daniel B. Gilmore to be postmaster at McGregor, Tex., in place of S. R. Brown. Incumbent's commission expired September 5, 1922.

WASHINGTON.

Lillian R. Menkee to be postmaster at Hunters, Wash. Office became presidential January 1, 1923.

WEST VIRGINIA.

Charles E. Coleman to be postmaster at Curtin, W. Va. Office became presidential January 1, 1923.

WISCONSIN.

John C. Chapple to be postmaster at Ashland, Wis., in place of A. D. McDonald. Incumbent's commission expired September 5, 1922.

Edward Schroeder to be postmaster at Granton, Wis., in place of Edward Schroeder. Incumbent's commission expired September 5, 1922.

CONFIRMATIONS.

Executive nominations confirmed by the Senate February 6 (legislative day of February 5), 1923.

SOLICITOR FOR THE STATE DEPARTMENT.

Charles Cheney Hyde to be Solicitor for the Department of State.

UNITED STATES DISTRICT JUDGE.

Charles C. Simons to be district judge, eastern district of Michigan.

POSTMASTERS.

GEORGIA.

Corine E. Dickerson, Homerville.

KANSAS.

George K. Morris, Milford.

MASSACHUSETTS.

Elizabeth M. Benere, West Acton.

MICHIGAN.

Bruce W. Frantz, Algonac.

Robert Wellman, Beulah.

Robert E. Surine, Nashville.

Rob C. Brown, Stockbridge.

David F. Jones, Unionville.

MINNESOTA.

Charles F. Mallahan, Jackson.

Herman Herder, Jordan.

Bennie C. Vold, Maynard.

MISSOURI.

John L. Oheim, Kimmswick.

Anna T. Winchester, Sikeston.

NORTH CAROLINA.

James H. Carlton, Burgaw.

Ruley G. Wallace, Carthage.

William E. White, Colerain.

Lewis E. Norman, Elk Park.

Rufus W. Carswell, Forest City.

Ellenor C. Cleaveland, Highlands.

John W. Kelly, Jonesboro.

Leon A. Mann, Newport.

John C. Snoddy, jr., Red Springs.

OHIO.

Harley F. Hambel, Glouster.

Nancy Robison, Howard.

Harry L. Mefford, Ripley.

Gilbert M. Brehm, Somerset.

PENNSYLVANIA.

Howard M. Gardner, York Springs.

SOUTH DAKOTA.

John H. Deuschle, Ravinia.

TEXAS.

McDougal Bybee, Childress.

Ethel Milligan, Pittsburg.

Simpson I. Dunn, Port Arthur.

Tilmon Y. Allen, Rice.

Herman Eck, Schulenburg.

Surry S. Boles, Thorndale.

Edna Overshiner, Valley View.

WASHINGTON.

Elmer M. Armstrong, Washougal.

HOUSE OF REPRESENTATIVES.

TUESDAY, February 6, 1923.

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Glory be to God and Father of us all. As Thy law is so just, Thy love so bountiful, and Thy wisdom so infinite may they command our unquestioned obedience and our full measure of devotion. Thou knowest us altogether, where we are weak and where we are strong. Lead us toward Thyself that our strength may grow. O wondrously sweet and helpful is the service inspired by Thy wisdom and blest by Thy grace. Continue to establish the ideals for which our fathers gave their lives and liberties. Bless our country, and may we build our very selves into the life and character of its righteous institutions. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed bills and a joint resolution of the following titles, in which the concurrence of the House of Representatives was requested:

S. 3553. An act for the relief of the family of Lieut. Henry N. Fallon (retired);

S. 4281. An act to appropriate \$500,000 for the purchase of seed grain to be supplied to farmers in the crop-failure areas of eastern Washington, said amount to be expended under rules and regulations prescribed by the Secretary of Agriculture;

S. J. Res. 263. Joint resolution to authorize the Secretary of Agriculture to accept membership for the United States in the Permanent Association of International Road Congresses;

S. 4176. An act to amend section 370 of the Revised Statutes of the United States;

S. 4061. An act authorizing the Secretary of the Interior to enter into an agreement with Toole County irrigation district, of Shelby, Mont., and the Cut Bank irrigation district, of Cut Bank, Mont., for the settlement of the extent of the priority to the waters of Two Medicine, Cut Bank, and Badger Creeks, of the Indians of the Blackfeet Indian Reservation;

S. 4324. An act to amend an act to authorize association of producers of agricultural products;

S. 4092. An act providing for the admission into the United States of certain refugees from near eastern countries; and

S. 4439. An act to revive and to reenact an act entitled "An act granting the consent of Congress for the construction of a bridge and approaches thereto across the Arkansas River between the cities of Little Rock and Argenta," approved October 6, 1917.

The message also announced that the Senate had passed with amendments the bill (H. R. 10817) to amend section 100 of the Judicial Code of the United States, in which the concurrence of the House of Representatives was requested.

The message also announced that the Senate had passed with amendments House Concurrent Resolution 53, providing for a special joint committee of the Senate and House of Representatives to investigate employment of prisoners at Leavenworth, Kans., and McNeil Island, Wash., and for other purposes.

The message also announced that the Senate had passed without amendment the bill (H. R. 10211) authorizing an appropriation to meet proportionate expenses of providing a drainage system for Plute Indian lands in the State of Nevada within the Newlands reclamation project of the Reclamation Service.

The message also announced that the Senate had agreed to the amendments of the House of Representatives to joint resolution and bill of the following titles:

S. J. Res. 248. Joint resolution to provide for the payment of salaries of Senators appointed to fill vacancies, and for other purposes.

S. 1878. An act to permit the State of Montana to exchange cut-over timber lands granted for educational purposes for other lands of like character and approximate value.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 4324. An act to amend an act to authorize association of producers of agricultural products; to the Committee on the Judiciary.

S. 3553. An act for the relief of the family of Lieut. Henry N. Fallon, retired; to the Committee on War Claims.

S. 4176. An act to amend section 370 of the Revised Statutes of the United States; to the Committee on the Judiciary.

S. J. Res. 263. Joint resolution to authorize the Secretary of Agriculture to accept membership for the United States in the Permanent Association of the International Road Congresses; to the Committee on Foreign Affairs.

S. 4092. An act providing for the admission into the United States of certain refugees from near eastern countries; to the Committee on Immigration and Naturalization.

S. 4281. An act to appropriate \$500,000 for the purchase of seed grain to be supplied to farmers in the crop-failure areas of eastern Washington, said amount to be expended under rules and regulations prescribed by the Secretary of Agriculture; to the Committee on Agriculture.

S. 4061. An act authorizing the Secretary of the Interior to enter into an agreement with Toole County irrigation district, of Shelby, Mont., and the Cut Bank irrigation district, of Cut Bank, Mont., for the settlement of the extent of the priority to the waters of Two Medicine, Cut Bank, and Badger Creeks, of the Indians of the Blackfeet Indian Reservation; to the Committee on Indian Affairs.

LAWS OF THE UNITED STATES.

Mr. LITTLE. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record by inserting a statement relating to the old Revised Statutes and the laws prior thereto.

The SPEAKER. The gentleman asks unanimous consent to extend his remarks for the purpose indicated. Is there objection?

There was no objection.

The statement referred to is as follows:

THE LAWS OF THE UNITED STATES.

BIOREN & DUANE.

An act of Congress of April 18, 1814, provided for the purchase of a thousand copies of an edition of the Laws of the United States, to be published by Bioren & Duane, of Philadelphia, and Roger Weightman, of Washington. The Secretary of State and Attorney General were directed to prescribe a plan for the books, the Secretary to appoint a competent person to look after it under his direction and that of the Attorney General. Richard Rush, Attorney General, outlined the plans for the work, which was to include every law, private and public, except with regard to the District of Columbia, as well as all treaties and the work of Congress under the Confederation, with an index but no annotations. James Monroe, Secretary of State, agreed to this and appointed John B. Colvin to edit the laws. The laws were arranged simply in chronological order, and this is a very interesting and valuable publication. This was followed by a somewhat similar series of books which had the approval of the famous Judge Story.

LITTLE & BROWN'S LAWS.

From 1845 until 1874 the firm of Little & Brown, of Boston, by contract, published the Statutes at Large of the United States, beginning with the first session of the First Congress. The work was under the charge of Charles C. Little, and Richard Peters, of Philadelphia, was their editor for several years, followed by George Minot and George F. Sanger. These publications and this contract terminated when the Revised Statutes became the law of the land.

REVISED STATUTES OF 1874.

In the second session of the Fortieth Congress there was selected a committee of the House on revision of the laws, the Hon. Luke P. Poland, of Vermont, being chairman. This became a regular committee in the third session of the Fortieth Congress. In the Forty-first Congress George W. McCrary, George F. Hoar, Austin Blair, and Daniel W. Voorhees were members of the committee, of which Mr. Poland was chairman.

THE SENATE.

During the first, second, and third sessions of the Forty-first Congress Roscoe Conkling was chairman of the Senate Committee on Revision of the Laws of the United States, consisting of Roscoe Conkling, Charles Sumner, Mathew H. Carpenter, Thomas F. Bayard, and others.

In the Forty-second Congress Benjamin F. Butler was chairman of the Committee on Revision in the House and Conkling in the Senate, where George F. Edmunds and William M. Stewart had become members.

The Forty-third Congress passed the Revised Statutes of the United States. Conkling, Carpenter, Stewart, Alcorn of Mississippi, and Ransom of North Carolina were on the Senate committee, while Poland, Rockwood, Hoar, Alexander H. Stephens, and Lawrence of Ohio were among the members of the House committee.

THE COMMISSIONERS.

Under the act of June 27, 1866, a commission was appointed to revise and consolidate the statutes. They made reports in 1868 and in 1869. In 1871 Charles P. James, Benjamin Vaughan, and Victor Barringer, commissioners, made reports. In 1873 they made a full report to the committee, of which General Butler was chairman, having compiled and revised the statutes. Thomas F. Durant, a Washington lawyer, of Louisiana, was employed by the committee to revise them back again. The book was often called the Durant revision in the debates and generally. The committee met November 11 and proceeded with that work and continued it at night sessions of the House for several nights, until the bill passed the House and went to the Senate. The final chapter on the repealing provisions was passed by the House without ever having been printed at all, the written copy being presented on the last evening. The only purpose of the night sessions was to permit the Committee on Revision to present its own amendments to the Durant revision, making additions and corrections. The bill then went to the Senate. The chairman of the House committee feels that it might perhaps be of assistance to the Senate in considering this measure to place at its disposal what is thought to be a full, complete statement of everything said and done in the Senate in 1874 on legislation similar to this, and it follows below:

[FROM CONGRESSIONAL RECORD.]

CONKLING PRESENTS REVISED STATUTES.

MAY 25, 1874.

"Mr. CONKLING. Mr. President, the Committee on the Revision of the Laws have directed me to report to the Senate three bills which I will name by their titles: First, a bill (H. R. No. 1215) to revise and consolidate the statutes of the United States in force on the 1st day of December, A. D. 1873. This bill, one of three which I am going to report, contains 1,432 printed pages. I report also the bill (H. R. No. 3349) to revise and consolidate the statutes of the United States, general and permanent in their nature, relating to the District of Columbia in force on the 1st day of December, in the year of our Lord 1873, and a like act from the House (H. R. No. 2879) revising and embodying all the laws authorizing post roads in force on the 1st day of December, 1873. The three bills make an aggregation of matter which I hold up that Senators may see it.

"In reporting these bills I wish to give notice that I shall ask—I do not ask now, because of the absence of many Senators—unanimous consent to dispense with the reading of the bills, a thing not unknown in our parliamentary history, although no such occasion for it as this ever arose before. The Senate will see that to read these bills in extenso would take a week, perhaps a fortnight, and nobody would listen to them. They have all been put in print and furnished weeks ago to every Member of the Senate. Since that time, I should say, however, many changes have been made—made with a pen—erasing sections, amending sections, and changing throughout the numbers of sections, so that Senators, if they wish to see the very words of the act as it has come from the House of Representatives, will be compelled to resort to the Secretary's table and read for themselves from this copy, as to reprint it would be very costly and very onerous and not attended with any compensations of convenience or value. The committee, as

soon as the pending deficiency bill shall be disposed of, will ask the Senate to take up these three acts; and ponderous as they are, the work for the Senate will be, I might almost say, formal, because the Senate will be compelled to rely upon the action of the three sets of commissioners who have been employed upon this work and the action of the joint committees of the two Houses during the last year, along with the amendments adopted in the House pursuant to recommendations made by their committee. The Senate will be compelled to take as they are these bills, or I fear to abandon them for this session. If we amend them here, the bills may fall in the other House, and the committee believe that they are now as nearly right as we can hope to get them by any additional process to which they can be subjected.

"Mr. MORTON. I desire to ask the Senator from New York a question for information, as I do not know how this revision has been made. I inquire whether these commissioners of the joint committee have condensed the statutes, changing their phraseology and clothing them to any considerable extent in new language? I understand the Senator to say this morning that the whole statutes would be reduced to one volume in size, and from that I infer that there has been a condensation and necessarily a change in the phraseology of the laws.

"Mr. CONKLING. If I understand the Senator, he is right in his conjecture. The commission finding, if you please, a page of sections relating to a particular subject, have condensed the true intent and meaning of that page of sections into words as few as they could employ for that purpose. Such has been the aim and object of the work, and now the whole body of statute law is to be in a volume not as large as that which I hold up, because this print is larger in size and the margin wider than it will be when it becomes a law book. That portion of this volume [exhibiting to the Senate] will probably represent the size of the single volume into which the whole body of the statute laws has been carried, assuming the work to be perfect and effectual; and although phraseology, of course, has been changed, the aim throughout has been to preserve absolute identity of meaning, not to change the law in any particular, however minute, but to present in miniature or in condensation the law in all its parts as it was actually found to exist dispersed through 17 volumes of statutes.

"I will send these bills to the desk, saying to Senators that they will be left there, although they must not expect to see them printed and find them on their desks, in the hope that Senators will look at them; and I will say that I think it would be well for Senators to look at the last page and a half of the larger one of these acts, that page containing repealing and saving clauses, so that no rights shall be lost by any inadvertence or oversight, and at the same time repealing all statutes except those now to be found in these Revised Statutes, so as to make them complete in themselves without reference to anything else.

"The PRESIDING OFFICER (Mr. Ferry of Michigan). The Senator from New York, from the Committee on the Revision of the Laws, reports several bills to go on the calendar and gives notice that at the conclusion of the pending bill he will seek the floor to call up those bills.

"MAY 26, 1874.

"Mr. CONKLING. I now move to proceed to the consideration of the larger bill, a bill to consolidate the statutes of the United States, reported yesterday from the Committee on the Revision of the Laws.

"The PRESIDENT pro tempore. The Senator from New York moves to take up the bill (H. R. 1215) to revise and consolidate the statutes of the United States in force on the 1st day of December, A. D. 1873.

"The motion was agreed to.

"The PRESIDENT pro tempore. The bill is before the Senate.

"Mr. CONKLING. The Senate will remember that an invitation has been accepted to attend in the House of Representatives a funeral which occurs at 4 o'clock. Of course, therefore, no considerable progress can be made with this bill now. I shall, however, accomplish a very important object if I can obtain, as I now ask, unanimous consent to dispense with the reading in extenso of the bill, and before the Chair asks for consent I wish to suggest to one or two Senators who were not here yesterday that the proportions of the bill, which will now be seen in the hands of the Secretary, are such that to read it would occupy many days, and of course it would not be listened to. Therefore I hope that no Senator will object to waiving the reading of the bill.

"Mr. EDMUNDS. I think this matter had better go over until the morning. I do not expect to ask that the bill be read. I think myself that would be useless; but I think we ought to reserve the right to have any portion read that Senators may desire as a matter of right. All I wish to hear read is the last chapter or two, which relate to repeals.

"Mr. CONKLING. Then I ask that by unanimous consent the reading of the bill be waived, except so far as the reading of specific parts of it may be called for by Senators.

"The PRESIDENT pro tempore. The Senator from New York asks unanimous consent that the reading of this bill may be dispensed with, except as particular parts may be called for in the consideration of the bill before the Senate. Is there objection? The Chair hears none, and it is so understood.

"Mr. CONKLING. Now, to leave this bill the unfinished business, although I beg to say to Senators that it will take but a very short time to-morrow, and therefore it will not impede, as I think, seriously anything behind it, I move that the Senate do now adjourn.

"The PRESIDENT pro tempore. The Chairman will remind the Senator that the usual course on such an occasion has been not to adjourn, but for the Senate as a Senate to attend the funeral, and then return to the Chamber and adjourn.

"Mr. CONKLING. Then I make the motion in that form.

"The PRESIDENT pro tempore. The Senator from New York moves that the Senate now proceed to the House of Representatives to attend the funeral.

"Mr. SHERMAN. We have not been notified that they are ready to receive us.

"Mr. CONKLING. We have accepted the invitation to be there at 4 o'clock.

"MAY 27, 1874.

"The PRESIDING OFFICER (Mr. ANTHONY in the chair). The unfinished business of yesterday is the bill (H. R. 1215) to revise and consolidate the statutes of the United States in force on the 1st day of December, A. D. 1873, which is before the Senate as in Committee of the Whole.

"Mr. CONKLING. The Chair may not be aware that by unanimous consent the reading of the bill at large was waived, any Senator, of course, being at liberty to call for the reading of any part he desires.

"Mr. EDMUNDS. The repealing chapter was excepted, to be read.

"Mr. CONKLING. The Senator from Vermont calls for the reading of the seventy-fourth chapter.

"The Chief Clerk read: 'Title 74, repealed provisions.'

"The bill was reported to the Senate without amendment.

"CONKLING ANSWERS EDMUNDS.

"Mr. EDMUNDS. I wish to ask the chairman of the Committee on the Revision of the Laws, if he will not think it implies any inference on the committee, as it does not, how sure the committee is, as we necessarily take this revision entirely on trust, that it does embrace existing law and nothing new?

"Mr. CONKLING. That is not a very easy question to answer: 'How sure is the committee?' I scarcely know how to answer that. It is a question I have heard put to a witness sometimes, and always excluded when objected to, it relating to comparative degrees of assurance. Certainly I can only say, as the Senator from Vermont well knows, that this work has engaged the attention of three sets of commissioners, and the examination of the committees of the two Houses, and of the committees of the two Houses acting jointly, and of the House special sessions being set apart for many days for its consideration; and all those concerned, as far as I can judge, tried to do their duty in regard to it. But when the Senator asks me to state how sure I am or how sure they are that this immense volume, made of the gathered meaning of 17 or 18 volumes of statutes, contains no blunder, I repeat the question is difficult to answer. There is upon the second page of the bill, or preceding the second page as it stands, a list of errors called 'errata,' which are to be corrected in the reprinting; and many other errors have been found and have been corrected.

"Perhaps I should be more candid in my answer if I were to say to the Senator from Vermont that I have no expectation that this work is free from error. I have never known any revision of laws that was. We have had several revisions in the State of New York, conducted by very eminent and expert men usually, and we never had one which did not contain errors. I think the Senator from Massachusetts [Mr. Boutwell] will bear me out in saying that although they revise very carefully, in spite of all their processes, errors are found. I presume errors will be found here, and as they are developed they must be corrected by future legislation.

"Mr. SHERMAN. I would ask the Senator from New York—for I have not given sufficient attention to know—whether he has been careful to preserve rights which have accrued under the law as it stood at the time the revision took effect?

"Mr. CONKLING. I think the Senator will be satisfied that in that regard there is no danger from the bill. The repealing and saving clauses are very careful and very broad, preserving all accrued rights on both sides, preserving penalties where they have accrued, preserving rights and opportunities where they have accrued, and providing with, I think, very thorough carefulness of language that no person and no right shall suffer by any casus omissus or the like which may be found in this work.

"Mr. EDMUNDS. Of course, there does not seem to be any other way to dispose of this subject than the way recommended by the committee; at any rate, no practical way at this session. It would take all the rest of the session, no doubt, to go through with it in the ordinary way as theoretically and justly I think ought to be done. And when I say that, I mean also to add that I have no doubt the committee has given it the most careful criticism and attention; and the only advantage of going over it again, having entire faith in that committee, is the advantage of having 73 men having different ideas and thoughts, and different objects and motives in their minds, hear it read and examine it and criticize it, rather than 5 or 7. Of course, there would be a great advantage in that against error and slip over an examination by a smaller number of persons. Everybody understands that. But it is impracticable, as a fact, to do that at this session of Congress; and the question therefore recurs whether we are to let it go, or whether we are to take it, as the committee asks us to do, in bulk, without reading or knowing its contents otherwise. I am disposed, for one, to take it, because, as the Senator from New York says, it undoubtedly does contain in the main a mere condensation of existing law, and does contain a very carefully prepared saving of all created and existing rights of everybody; and if there are errors, of course they can be corrected hereafter, although that is not a good way to legislate, as a rule.

"On the other hand, one can not help remembering that two chapters of this revision—I do not mean of this particular book, but of the revision—have passed Congress already. Whether they are reenacted in this book, I do not know. I presume they are. I suppose that the chapter about the Post Office Department is in this book.

"Mr. CONKLING. Yes, sir.

"Mr. EDMUNDS. And the chapter about the Patent Office?

"Mr. CONKLING. Yes, sir. If you mean about the Post Office Department, that is here; but if you mean post roads, that is a separate bill.

"Mr. EDMUNDS. But the general post office act is here?

"Mr. CONKLING. Yes, sir.

"Mr. EDMUNDS. We passed under the revision idea a bill regulating Patent Office affairs and another regulating the Post Office. We passed those, although, of course, not a quarter as long as this is, without going through a careful revision in the Senate; I believe without even reading them. If they were read, it was a very formal and hurried reading indeed. It turned out that in the Patent Office act the statutes repealed by it were many of them most important to the interests of the United States and not having the slightest reference to patents except that in some section of one of them which I have in mind there was a provision that patent fees should be paid into the Treasury; and in the post office act it was afterwards discovered that there had been introduced what was not the existing law before, a provision conferring power upon the Postmaster General in reference to making contracts, which I do not think would have received the assent of a majority or even of a small number of the Senators and Representatives in Congress if they had understood its provisions.

"Of course, these are difficulties that we are obliged to meet, and this is the experience which we have had in respect to two chapters of the revision, not in this book, because I presume they are corrected in this, but I do not know. Of course, it is an unpleasant experience, and it is with a great deal of doubt as to the propriety of any Senator of the whole body of Senators not being willing to sit down patiently and have the committee go over with us the whole of this work, chap-

ter by chapter, and consider it and discuss it as if we were a committee of the whole to whom had been committed this business, that I, taking my share of the responsibility for passing it in the end, do not insist upon that and allow the thing to go. I do not say this to lay an anchor to windward, so as to be able to say hereafter, 'I told you so,' but to say, taking my share of the responsibility as one Senator that it is a kind of legislation which I hope will be very rarely resorted to at all; but I do not see any other way, as the Senator from New York says, at this time but to take it.

"Mr. MORTON. Mr. President, I can not but feel that this is a somewhat dangerous business. Conceding, as I have no doubt is the case, that the committee has devoted a great deal of labor and time to the consideration of this volume, it is, after all, substantially, and must be, the work of three commissioners. I believe that was the number appointed to codify the laws. We are told that some 15 or 16 volumes have been boiled down substantially into 1. This involves great condensation. It involves changing of phraseology, putting the statutes into new language, and shortening them as far as possible. This volume must in the nature of things, therefore, be a digest, and nothing more. We all know the difficulty the courts have, and sometimes it takes them years, to settle upon construction of a single statute; but here these commissioners are allowed to give their construction to all the statutes of the United States, and to change their language, to clothe them in new phraseology, and we take all their work upon trust. We take their construction, their views of the meaning of these laws. Where courts have long differed and will continue to differ in regard to the meaning of a single section, we are to take the views of three men, without consideration, without opportunity to review, in regard to the whole statutory code of the United States. It is a laborious business; there are great difficulties around it; but, for one, I feel that it is very unsafe business. If the language of the statutes is to be changed, it ought to be considered by Congress, and each session some part of the work should be done. We should not undertake to do it all at one session, but it should be divided out, running through a series of sessions of Congress. It is much more important to have this work done correctly than to have it done in a lump and all at once.

MATT. CARPENTER'S VIEWS.

"Mr. CARPENTER (Mr. Anthony in the chair). The Senator from Indiana says this is a dangerous thing. That is undoubtedly so. It is dangerous to pass any law, because there may be a mistake in it that will harm somebody. That danger is inherent. We can not avoid that difficulty. Every exercise of sovereign power is dangerous in that sense, that if there is an error lurking in it and if it is not discovered it may do harm.

"The Senator says this work has been done by three commissioners, and from that he derives an objection to it. I think it would have been an improvement if it could have been done by one competent man. Where you have got one thing to do, whether it be to carve a statue or paint a picture or revise the laws of Congress, if it can be done by one mind, you are more likely to have it correct than you are if it is participated in by more than one.

"Now, what does the Senator suppose would become of that revision, if it were to come in here and take the fate of ordinary bills in the Senate Chamber? The youngest boy born in this country to-day never could live to see it disposed of. Suppose it were put into installments, part of it taken up one session and part another, by the time you had gone through two or three sessions your accumulated legislation would make a new revision absolutely necessary; you never could end anything, and never would come to any conclusion.

"Undoubtedly there will be found errors in this revision. There never was a revision made, as the Senator from New York has said, that did not have errors. It is not in the nature of things that the revision of so many statutes should be absolutely perfect. All that we can do is to give it every guaranty that such a work ever can have, that it is correct. The great benefit of it is that it gives us a starting point for the law, and if errors are discovered, as undoubtedly there will be more or less, they are to be corrected by subsequent legislation, and every man, every citizen, every lawyer, every judge, knows what he has got to start with to find what the law is. He is to start with that volume, and then subsequent legislation is all he has got to discover. Tell any common man in the complicated relations of official life, who is an internal revenue collector, if you please, or has something to do with the distilling business, that he is supposed to know all the law on that subject, and it is to be found in 17 volumes, and he is to be indicted if he omits a single particular or mistakes a single provision, and he would as soon go to the insane asylum at once as attempt to wade through it. Now, then, he has got a start; he has got the statute of revision; and then he has got to look to subsequent legislation and nothing else, and is certain he has all the enactments on the subject before him.

"Mr. SARGENT. I think it would be wisdom for the Senate to adopt the recommendation of the committee and pass the code as it is, for I think great care has been given to this revision. Nevertheless, on an examination of some parts of the code with which I am more familiar from my former occupations, I think I find that it is not an entire codification so much as it is the insertion of parallel passages, if I may so express myself; and I will illustrate by a single instance which I have in mind. I do not know but that I should be somewhat puzzled as a lawyer, perhaps anyone would be puzzled, to know exactly what the law would be in the instance which I call to the attention of the Senate on page 541 of the revision with reference to mining claims. Section 2354 in the original numbering reads, part of it, thus:

"But no location of a placer claim made after the 9th of July, 1870, shall exceed 160 acres for any one person or association of persons, which location shall conform to the United States surveys."

"That authorizes a person or an association of persons to take 160 acres, and that was the law for a number of years. Finally Congress thought that 160 acres of mining land was too much for one person. That might be a matter of doubt. At any rate they changed the law subsequently, as I remember by the history of the legislation as well as finding it here, and they provided that all claims located after the 10th of May, 1872, shall conform as near as practicable to the United States system of public land surveys and the rectangular subdivisions of such surveys, and no location shall include more than 20 acres for each individual claimant.

"Mr. CONKLING. Subsequent to 1872.

"Mr. SARGENT. No. The first act says subsequent to the 9th day of July, 1870, but the second one says subsequent to 1872.

"Mr. CONKLING. Does not the Senator see that there is an interval required to be covered by the first statute?

"Mr. SARGENT. Exactly; but that is not the principle of the original law. The second act which I have read was intended to repeal and did in fact absolutely repeal the former one.

"Mr. CONKLING. Then it contains something the Senator has not read.

"Mr. SARGENT. No, sir.

"Mr. CONKLING. He has read nothing that comes within eight rows of apple trees of repealing it, if the Senator will pardon me.

"Mr. SARGENT. I have been unable to find anything further on the subject. But I mean to say that the second law to which I have referred, which made this second regulation and confined the location to 20 acres, did contain a repealing clause of the former legislation, and since that time all locations have been made to each party of 20 acres. If, however, under a fair and reasonable construction of this law, it still remains at 20 acres, then my criticism would have no force.

"Mr. MORTON. It repeals the former law necessarily, without any repealing clause.

"Mr. SARGENT. But here both are reproduced. Which prevails, the first or second section of this bill? As they are passed contemporaneously, there is no question of time to assist the construction. I mention that to show that there are crudities in this revision. A person understanding that subject thoroughly, and his attention having been drawn to it, could put it in one section, so as to have no confusion. As it is now, we shall have to rely on the judgment of the executive officers in construing the law. This may be the only instance of the sort in this volume, but it is one that struck my attention more particularly.

"But, Mr. President, considering the very careful revision that has been given to this code and believing it to be the best thing we can do on the subject, I shall vote with the gentleman who reports it.

"Mr. CONKLING. If my friend from Indiana had not spoken so quickly and so positively about this one repealing the other without any repealing clause, I should have been ignorant enough to read this over a good many times without finding it out, and I should not be surprised if some other Senators, even the Senator from Indiana, should be in the same position if he will take this and look at it. Let us see:

"But no location of a placer claim made after the 9th day of July, 1870, shall exceed 160 acres for any one person or association of persons," etc.

"Then, in the next section we find:

"Where placer claims are upon surveyed lands and conform to legal subdivisions no further survey or plat shall be required, and all placer mining claims."

"Mr. SARGENT. It is the same thing.

"Mr. CONKLING. Not at all. My friend remarks that it is the same thing. I made no affirmation about it. I merely read what the bill says:

"And all placer mining claims located after the 10th of May, 1872."

"That is, located after a different day, more than two years after the first.

"Mr. SARGENT. Of course; that is what I said.

"Mr. EDMUNDS. That refers to the act of 1872, which was a general act on the subject of mining.

"Mr. MORTON. One law modified the other, of course.

"Mr. CONKLING. This is getting very interesting. The Senator from Indiana now says 'one law modified the other.' Of course it does; but what he said first was that one law repeals the other.

"Mr. MORTON. It does to the extent that it modified it.

"Mr. CONKLING. Even though there was no repealing clause, he said one repealed the other. He does not mean that. He does not mean that when one statute says, even if it relates to precisely the same thing—whether it does or not, I do not stop to consider, although apparently it does not—he does not mean, when a statute relating to one thing requires that after a certain day in 1870 certain claims and rights shall exist, and another statute provides that after a day two years, later than that all those rights shall be governed differently, one statute repeals the other. He means that it modifies, as he last says, the other, taking effect upon what shall be in the future the effect of the latter statute. A statute of a State which did that would probably be void by the Constitution of the United States; a statute of the United States which did it might be supposed to be void under another provision of the Constitution for taking away property without compensation. Therefore, the man who after 1870 took 160 acres under that statute had just as good a title to it forever as the man who after 1872 took 20 acres under the subsequent statute, and they would not repeat each other. I submit, at all.

"Mr. MORTON. I do not suppose anybody can have misunderstood what the Senator from California said about it, or my remark. The second statute was intended to change the first statute and reduce the number of acres in the way of a placer claim that anyone could take. The Senator from California called attention to the fact that both of these statutes are placed there together. A dispute has already arisen. The Senator from New York is on hand, of course, to make it all clear, but he will not always be on hand to make these things clear when these difficulties arise. That is a single instance of confusion already arising upon this code, and perhaps is an illustration of the danger of taking a codification made by three men involving a change of phraseology of all the statutes of the United States that have been carefully considered at different sessions of Congress for some 60 or 70 years. As I said before, I think it is a very dangerous business; and if we wanted an illustration of it we find it in the little colloquy that has just taken place.

"Mr. MORRILL of Vermont. May I ask the Senator from New York whether the reduction in the tariff made two years ago, of 10 per cent on certain articles therein specified, is taken off each article in this codification, or whether provision is made by which that reduction shall be made as it was in the act? I have not been able to find it.

"Mr. CONKLING. It is made by being incorporated in the chapter, so to call it, which relates to the collection laws.

"Mr. MORRILL of Vermont. I was not able to turn to it. I supposed that was the way it would be. I saw it was not on each specific article.

"The bill was ordered to a third reading, read the third time, and passed."

So we thus present the debate under which the Revised Statutes became the law of the land and the greatest law book in the world 47 years ago. It was suggested that in so big a book there would be mistakes, and of course there were. The question was whether they should make the mistake of continuing to be without a code, or continuing to have their laws scattered through many volumes, practically inaccessible, and, what was more important, of having laws thus scattered made at random without any knowledge at the moment of just what they repealed by implication. In our Federal legislation there is comparatively very little direct repeal. The committees have no time to run down everything with which their legislation might be incon-

sistent and conflicting, and it thus becomes the duty of the courts to interpret the laws and decide what legislation repealed something prior. The theory of this codification has been that it did not favor repeals by implication; that the law made by Congress should be restated, unless it was entirely evident that Congress intended a repeal. In such cases, when there seems to be conflict between sections of the law, it is for the courts to decide what is the law. The Committee on Revision of the Laws has not endeavored to make judicial decisions on such points, but rather to put in the law made and let the courts decide, as they would be compelled to if there be no code.

In many departments, bureaus, and elsewhere the administrative and executive offices have been compelled, perhaps, to reach conclusions on such questions. For that reason customs and practices have grown up in various places in the Government which have had the force of law, but which are not the law at all, because the interpretation was sometimes made by men without any serious legal equipment or experience, yet to them and their successors these erroneous interpretations of the statutes have become sacred and they have been very much surprised that they have been violating the law for years.

Before the Revised Statutes were completely printed in 1874, the committee discovered 67 errors and corrected them by a bill immediately presented and enacted, which was placed in the same book with the Revised Statutes as an appendix. The committee has thought best to comb this bill right now and present those points as suggestions for amendment in the Senate.

This bill is three times as big as the other, and there are probably some mistakes in it. The West Publishing House recently wrote the chairman that they proof read their publications of the statutes three times, but that if they proof read them forty times, there would still without doubt be mistakes in them. There are very many mistakes in the Statutes at Large that never have been corrected, as the committee has discovered. If the proposed code is enacted it will be a comparatively easy task to search its pages and to correct any mistakes that may be subsequently discovered. If thereupon future legislation is based upon a code and repeals are definitely and accurately made, Congress can go a long way toward avoiding many of the problems which are forced upon the courts as to just what legislation means when it seems to conflict with prior legislation. Faithful adherence to the laws enacted of course devolves upon the proposed code the apparent conflicts which various individuals have without authority settled to their own satisfaction. A law clerk down in a bureau looks at two or three statutes and repeals all of them he doesn't like, with as much graceful abandon as Richard cried, "Off with his head; so much for Buckingham." Then he is profoundly surprised when the Committee on Revision, whose members have enjoyed a practice at the bar which, when combined, reaches an experience of 250 years, decline to take the responsibility of repealing laws which Congress has never repealed. The committee prefers to leave those problems with the courts just as Congress did, presenting in the saving clauses of its last title everything that can possibly be said to preserve all rights, perpetuate all laws, and make clear the purpose of the laws. For 18 months the chairman of the committee, with a corps of able lawyers assisting, and under the supervision of the committee of learned lawyers, has assembled the general and permanent laws of the land and presented them in one great code. Expeditiously as it has been done, it only comes down to the beginning of the Sixty-sixth Congress, and if it be postponed, the next time if attempted it will be still further behind, and it should begin as near down to date as possible in order to be practically useful. The Revised Statutes of 1874 were very soon followed by a second edition which corrected all the errors practically of its predecessor and was able then to bring the Revised Statutes down to the date of their publication practically. It is quite possible that the same plan may be adopted if this bill becomes a law, and without doubt starting, as Senator Carpenter says, from the foundation of this collection of the laws, the next one can in many ways surpass the first edition.

The Codes of Justinian and Napoleon of course contained many mistakes, too, but those mighty law books formed the standard for a century of legislation in one case and for 13 centuries in the other, and have been absolutely invaluable to generations of litigants, courts, barristers, and nations. Mistakes in this code can easily be corrected, but to begin at the beginning and make another is a task that probably no one would care to undertake unless men are very differently constituted than they have been since 1874. Every year the laws accumulate without a code throws still more confusion into the interpretation of the statutes, and the committee which has so laboriously achieved this compilation and codification earnestly hope that the views of Conkling, Carpenter, Bayard, Edmunds, Beck, Butler, Poland, Lawrence, Sargent, Morrill, and Alexander H. Stephens may be considered worthy of consideration and approval now, when there is so much more confusion and necessity for such an assembly and determination of the laws. Every man has a right to know what the laws are, and half a hundred Federal judges and attorneys have told us that no man can know certainly what the laws are now after 47 years of continued legislation unchecked. The opportunity is here presented that was given then, and that great book of 1874 has never been seriously challenged upon any point of importance, and for nearly half a century has been the north star of all American litigation and legislation, as it is hoped by many this will be, if adopted.

TRAFFIC CONDITIONS IN THE DISTRICT OF COLUMBIA.

Mr. FULLER. Mr. Speaker, I ask unanimous consent to address the House for five minutes.

The SPEAKER. The gentleman from Illinois asks unanimous consent to address the House for five minutes. Is there objection?

There was no objection.

Mr. FULLER. Mr. Speaker and gentlemen of the House, I noticed in one of the newspapers of the city last evening an article stating that there were 298 more arrests for speeding made in this city in the last month than in the month before. On a report from the superintendent of police it is stated that arrests for traffic law violations in this city in the month of January totaled 2,326 and that of these 924 were for speeding, an increase of 298 over the previous month.

In my judgment it is time that Congress and the public should take some notice of traffic conditions in the city of

Washington. They have become almost unbearable. The number of arrests stated by the superintendent of police might indicate that something was being done to prevent the constant daily and hourly violations of the speed regulations, but these arrests amount to nothing. There is nothing stated in this article as to how many were fined or sent to jail, but it is my understanding that few were fined and fewer punished by imprisonment; mere arrest and deposit of collateral, which is generally forfeited, amounts to nothing.

The usual practice is to take a small deposit, and the person who violates the law never appears in the police court at all. His deposit is forfeited, and that is all there is of it, and he goes on his way and commits the same kind of violations again. This practice is wholly ineffective so far as correcting conditions, which are constantly getting worse and which are a disgrace to the city.

Punishment should be of such degree as to deter not only the one punished but all others as well. Let it be known once for all that violation of the speed regulations will meet with certain punishment of a degree commensurate with the offense, and that is not by forfeiture of collateral, not by fine only, but by fine and imprisonment in every case, and operators of motor cars will soon learn that it is wise to obey the law. Where the death of an innocent pedestrian is caused by reason of the unlawful speed of a motor car the person so causing the death should be held to the grand jury and punished for the felony, for such it is. It is high time that the people of this city should awake to the fact that the city is getting the reputation of being an unsafe place for anyone to be upon its streets, that life is unsafe on the streets of the Capital City of the Nation, and unless conditions are remedied people will hesitate to visit the city.

Mr. HICKS. Will the gentleman permit a question?

Mr. FULLER. Certainly.

Mr. HICKS. Is it not a fact that a chauffeur, obtaining his license in the District of Columbia, after once obtaining it never has to go before the commissioners again to show whether he is qualified?

Mr. FULLER. I understand that to be the case; that almost all that is necessary in order to get a permit to drive an automobile is to make the application and pay the fee, and then it continues year after year without any renewal.

Mr. BLANTON. Will the gentleman yield?

Mr. FULLER. I yield to the gentleman from Texas.

Mr. BLANTON. Is not most of the trouble due to the fact that irresponsible chauffeurs employed on salaries, who do not own their cars, are permitted to drive, and they do not care whether they have accidents or not as long as they keep their own bodies whole?

Mr. FULLER. Undoubtedly that is frequently the case. One reason that has induced me to make these remarks this morning is that a few days ago the matter was brought home to me in such a way as not to be ignored. A member of my own family, the sister of my wife, visiting in Washington for a few days, had an errand on the street only a block away. Fifteen minutes after she left the home where she was staying her crushed and mangled body was in the hospital, murdered by a reckless and irresponsible automobile driver, who never ought to have been granted a permit to operate an automobile. And I say now that it is just as dangerous to give a permit to operate an automobile to a reckless, incompetent, and irresponsible person as it would be to give him a permit to carry a loaded revolver, because one is a dangerous weapon as much as the other; and more lives are endangered, more deaths result from violations of traffic regulations, from improper use of automobiles, and particularly from speeding, than from all other deadly weapons in existence, for the automobile is a deadly weapon when in improper hands, and permits should be granted only to proper persons, after the most rigid examination as to character and fitness to be intrusted with such a weapon; and in case of improper use, of negligence, or of demonstrated unfitness such permit should in every case be promptly revoked.

I have been told frequently that traffic conditions in this city are worse than in any other city in the United States. I do not know whether that is so or not, but I do know that in the past year I have had to jump for my life at least a thousand times to get away from speeding automobiles. What I would like now is to have these facts made public so that some remedy may be found to correct these conditions. I know something about the speed at which automobiles go. I have watched the speedometers on machines and I know when they are going beyond the proper limit. No automobile upon the streets of a city should be permitted to run more than 15 miles

an hour. A greater speed than that on city streets is always dangerous. Automobiles in this city are operated every day upon the public streets at a rate of speed as great as that of the average railroad train upon a track, and anyone knows that that is dangerous to human life. In my judgment three things should be done: First, permits should be granted only upon a rigid examination, and only to proper persons and under proper conditions, and no such permit should be extended beyond one year. Second, the practice of taking a deposit from a person who violates the speed regulations and allowing him simply to forfeit that deposit should be abolished. A man who violates the law and is arrested for that violation should be compelled to appear and stand trial, and let it be a public matter; and let him not only be fined, but if it is a willful violation let there be a jail sentence, and when life is taken by a man who is violating the speed law, the law presumes him to be responsible for the necessary consequences of his act and he ought to be indicted and punished for manslaughter or murder, because that is what it is. [Applause.]

I have also another clipping from a paper last night as to conditions in the city of Detroit.

Mr. MONDELL. Will the gentleman yield?

Mr. FULLER. I yield to the gentleman from Wyoming.

Mr. MONDELL. Have there been any cases where offenders have been given jail sentences for these violations of the traffic laws of the District of Columbia?

Mr. FULLER. I understand that only a very small number were given jail sentences. The rest were given either small fines or, in the great majority of cases, they simply forfeited their collateral and never appeared in court at all. Such a pretended enforcement of the law is a farce.

Mr. MONDELL. Does the gentleman realize that we will never have safety on the streets until the court begins to punish those who violate the law?

The SPEAKER. The time of the gentleman from Illinois has expired.

Mr. FULLER. Mr. Speaker, I ask that I may have five minutes more.

The SPEAKER. Is there objection?

There was no objection.

Mr. DAVIS of Tennessee. Will the gentleman yield?

Mr. FULLER. I will.

Mr. DAVIS of Tennessee. Does not the gentleman think it would be a good idea that when a driver is willfully convicted of violation of the traffic laws he should be deprived of his permit?

Mr. FULLER. He should be deprived of his permit. That should be one of the punishments. Another punishment that should be inflicted is that the man who violates the traffic regulations more than once, or becomes a chronic violator of the traffic laws, should forfeit his automobile as well as the right to drive?

Mr. MACLAFFERTY. Will the gentleman yield?

Mr. FULLER. Yes.

Mr. MACLAFFERTY. Does the gentleman realize that Washington is the poorest lighted city of its size in the country, and that owing to the frequent circles pedestrians have to be in the fairway for such a great distance in crossing the street that it increases the danger, and that 80 per cent of the accidents are on account of the negligence of pedestrians?

Mr. FULLER. I do not think that is true at all. We had a safety week in Washington a few weeks ago and notices were posted all around reading "Don't get hurt." They were all against the pedestrians. I did not notice any except the cartoon of Berryman in the Star in which it said, "Don't hurt." Talk about pedestrians being at fault, every person that goes out on the streets of this city knows that he must be speedy and jump for his life, because there are only two classes of people in the streets—the quick and the dead. [Laughter.] If a person is not quick, he is very sure to be dead.

Personal safety induces every pedestrian to look out for himself. He knows that he must do so. When an automobile is coming at 30, 40, or 50 miles an hour, as they do sometimes in this city, a person has to look and act quickly. You see one coming 80 rods away and think there is plenty of time to cross the street, but before you know it the automobile is on you, or you escape by an inch, and such very narrow escapes are of daily and hourly occurrence—

Mr. BLANTON. Will the gentleman yield?

Mr. FULLER. Yes.

Mr. BLANTON. Does the gentleman know that my colleague, Mr. ZIEHLMAN, from Maryland, has a bill that covers every point the gentleman has made?

Mr. FULLER. I do not think so. In my judgment the bill mentioned would not help matters in the least. There is law enough now.

Mr. BLANTON. If the District of Columbia Committee can have a day in court we can give the gentleman a law that would protect pedestrians.

Mr. MONDELL. Will the gentleman yield? All the balance of the world is constantly shifting the responsibility to Congress, but I do not think a Member of this body ought to join in that course. There is plenty of law on the statute books now.

Mr. FULLER. That is true; there is plenty of law. The law is sufficient if enforced by the courts. They should send these violators to jail, as they do in Detroit. There they have almost eliminated accidents by the courts sending speeders to jail and the workhouse. I have an article here which states that millionaires as well as poor people have recently been sent to the workhouse for violation of the speed laws, and have been compelled to serve out their sentences.

Mr. BLANTON. But the judge here yesterday sent a man to jail for 60 days for speeding.

Mr. FULLER. Many more should have been sent.

Mr. STAFFORD. The case which the gentleman alludes to in Detroit was because Judge Bartlett has the guts to punish, and what we need here are judges to punish.

Mr. FULLER. Yes. What we need here are judges who are hard boiled and who will enforce the law and punish these violations. The law ought to be enforced, and those who violate the law concerning the operation of motor vehicles should be punished, as the law contemplates. Since the 1st of January last 10 persons have been killed in this city by speeding automobiles. In some cases it was nothing less than murder, and in such cases there is no suitable punishment but death or imprisonment in the penitentiary. If in every case of willful violation of the law the offender was punished by imprisonment there would not be many more unlawful killings, too often referred to as unavoidable accidents. There is no such thing as an unavoidable accident when it is caused by the unlawful act of the responsible person. If the driver of an automobile or any motor vehicle keeps it under control and does not go faster than the law provides, no one will be killed. Why, every street car in the city slows down at the crossing of an intersecting street, and if there is any indication of danger the car is stopped. The motorman must do this or he loses his job. But the driver of an automobile in almost every instance does not slow down at the crossing of an intersecting street, but keeps on at full speed. He does the same in going around corners; at least, this is the almost universal practice, as I have observed on many occasions. Why should not the driver of a motor vehicle be as careful as the driver of a street car? I think he should be compelled to observe the same degree of caution as the motorman on a street car; and if he would do so there would be fewer of the so-called unavoidable accidents.

Now, I wish to say just this: As the gentleman from Wyoming [Mr. MONDELL] remarked, the fault is not with Congress—there is law enough. All that is needed is to enforce the law, and that is up to the officials of this city.

I wish to quote from the article to which I have referred concerning the situation in Detroit, which was published in a newspaper of this city last evening, and which is as follows:

JAIL TERM PROVES CURB FOR SPEEDING—DETROIT'S "HARD-BOILED" COURT PUTS EFFECTIVE BAN ON JOY RIDERS.

When 240 persons were killed in 1920 by speed maniacs and careless motorists Detroit got "hard-boiled."

The result was a decrease of 40 per cent in the number of traffic fatalities in 1921—a total of at least 106 lives saved. And this sharp cut in traffic deaths was accomplished despite the fact that the number of automobiles in Detroit increased 25 per cent.

How does Detroit do it?

Louis Resnick, writing in the National Safety News, answers that question in two words—"cooperation" and "courage." Cooperation between the police department, the automobile club, the board of education, and the Detroit Safety Council. Courage on the part of Judge C. L. Bartlett, who presides over the Michigan city's traffic court, in sending careless motorists to jail and revoking their licenses in the bargain.

"I sat in the traffic court and watched Judge Bartlett dispense justice to speeders and other violators of traffic laws," wrote Mr. Resnick. "In one day he sentenced 29 speeders to manual labor in the house of correction. Among them were five men reputed to be millionaires, and every one of the 29 served his sentence. Almost without exception every speeder that has appeared before Judge Bartlett has received a fine ranging between \$25 and \$500 and has been sentenced to from 1 to 10 days in the house of correction."

"Then, to make the lesson complete, Judge Bartlett has in nearly all of these cases revoked the prisoners' automobile licenses for from three months to a year. That is courage."

A "hard-boiled" traffic court has been found to be not only a severe lesson to the man who is arrested but it is also the finest educational agency for the man who might be tempted to "step on it" now and then. He always has that vision of the rock pile or laundry tub for 10 days or a month before him, and loss of the privilege to

drive after he gets out. While statistics show that the court only comes into personal contact with 1 per cent of the motorists of Detroit, its effects are felt by the other 99 by imposing sentences that really hurt on the 1 per cent.

JUDGE BARTLETT'S POLICY.

Here is Judge Bartlett's personal description of his policy:
"My policy is and shall continue to be to give the speeder the maximum penalty allowed by law. During my first few weeks on this bench I followed the old system of assessing small fines and I noticed a good many repeaters appearing before me. I then stationed persons here and there about the court room and at the outer door to listen to the comments of speeders who had been fined.

"I found that no system of fines could be effective. And so I determined on the imposition of jail sentences. Since I have adopted this policy the number of speeders brought before me had been reduced from an average of 300 a week to 7 or 8. What we need throughout America is a more severe enforcement of existing traffic laws and greater publicity of such action by the courts. I might send 100 speeders to jail in one day and if the newspapers did not print the fact the lesson would be lost to all but the 100.

"When the daily press and the moving pictures report this event, the lesson goes home to thousands of potential violators who are restrained from recklessness and carelessness by the mental vision of a spell on the rock pile."

Detroit invests \$50,000 a year in the maintenance of an accident investigation bureau in its police department. "Invests" is the correct word, any citizen of Detroit will tell you, because it pays dividends in lives and limbs saved.

The bureau is comprised of 18 policemen. Their duty is to see that every accident resulting in a death or physical injury to any person is promptly and thoroughly investigated and the facts placed in the hands of the prosecuting attorney.

The minute that news of an accident is flashed to police headquarters—and it is the duty of every policeman to do that immediately—several members of the accident investigation squad rush to the scene. There they obtain statements from witnesses, distances are accurately measured, and a police photographer takes pictures of the wreck and the scene. As a result the police come into court with a case that is almost indisputable.

Mr. SMITH of Idaho. Mr. Speaker, I move that the remarks of the gentleman from Wisconsin [Mr. STAFFORD] wherein he used the word "guts" be expunged from the RECORD.

The SPEAKER. The time of the gentleman from Illinois has expired.

Mr. LINTHICUM. Mr. Speaker, I ask that the gentleman be given two minutes more.

The SPEAKER. The gentleman from Idaho moves that the remarks of the gentleman from Wisconsin [Mr. STAFFORD] be expunged from the RECORD.

Mr. SMITH of Idaho. They are disgraceful and should not have been uttered on this floor.

Mr. BLANTON. Mr. Speaker, I ask recognition on the motion of the gentleman from Idaho. I think my colleague from Idaho [Mr. SMITH] has acted rather hastily. If he will examine the CONGRESSIONAL RECORD he will find that very expression which the distinguished gentleman from Wisconsin [Mr. STAFFORD] used at least in a dozen places.

Mr. SMITH of Idaho. That may be, but it has no proper place there.

Mr. BLANTON. Why, that is a favorite expression of my colleague from Arkansas, Mr. WINGO. [Laughter.] The gentleman's side of the House has placed it in the RECORD several times. I am sure that if the gentleman from Idaho had waited for a few minutes until the reporter's notes were handed to my friend from Wisconsin, he would find probably that the word had been deleted by the gentleman from Wisconsin.

Mr. STAFFORD. I question whether the gentleman from Texas has any authority to make that statement. [Laughter.]

Mr. BLANTON. But, if the gentleman from Wisconsin did not do it, I want to say that I am behind him anyway, because the gentleman from Wisconsin does not speak on this floor ill-advisedly. He is prepared on every subject that comes up, and he is one of the few men who is prepared on all measures that come on this floor.

The SPEAKER. The gentleman will confine himself to the subject of the debate.

Mr. BLANTON. I am not in favor of striking the language of the gentleman from Wisconsin out of the RECORD. There is surely some latitude in debate here. A Member does not have to get up here on the floor and imagine that he is out under timid, shrinking Idaho skies every time he opens his mouth. He is on the floor of the United States House of Representatives where he is supposed to speak his mind even if he has to use a good old-fashioned expression once in a while. I want to say that it is a good expression that my friend from Wisconsin used, and I wish that more of us on this floor had more of just what he mentioned.

Mr. STAFFORD. Mr. Speaker, I move the previous question on the motion of the gentleman from Idaho.

Mr. SMITH of Idaho rose.

The SPEAKER. For what purpose does the gentleman rise?

Mr. SMITH of Idaho. I rise to discuss the motion to strike out the language.

The SPEAKER. But the gentleman from Wisconsin has moved the previous question. That is a privileged motion. The question is on ordering the previous question on the motion of the gentleman from Idaho.

The previous question was ordered.

The SPEAKER. The question is on the motion of the gentleman from Idaho that the language used by the gentleman from Wisconsin be stricken from the RECORD.

The question was taken, and the motion was rejected.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. RICKETTS, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following bills:

H. R. 12473. An act granting the consent of Congress to the Winco Block Coal Co., a corporation, to construct a bridge across the Tug Fork of the Big Sandy River, in Mingo County, W. Va.

H. R. 11731. An act to provide for the renting of the first floor of the customhouse at Mobile, Ala., to the Mobile Chamber of Commerce.

INDEPENDENT OFFICES APPROPRIATION BILL—CONFERENCE REPORT (H. REPT. NO. 1549).

Mr. WOOD of Indiana. Mr. Speaker, I submit a conference report upon the bill (H. R. 13696) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices for the fiscal year ending June 30, 1924, and for other purposes, for printing under the rule.

BRIDGE ACROSS ARKANSAS RIVER AT LITTLE ROCK, ARK.

Mr. JACOWAY. Mr. Speaker, I call up from the Speaker's table the bill S. 4439, to revive and to reenact an act entitled "An act granting the consent of Congress for the construction of a bridge and approaches thereto across the Arkansas River between the cities of Little Rock and Argenta," approved October 6, 1917, a similar House bill being on the calendar.

The SPEAKER. The gentleman from Arkansas calls up from the Speaker's desk a Senate bill, a similar House bill being on the calendar before the Senate bill was returned to the House. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the act approved October 6, 1917, granting the consent of Congress for the county of Pulaski, in the State of Arkansas, its successors and assigns, to construct a bridge across the Arkansas River at the city of Little Rock on the site now occupied by the free highway bridge constructed by said county in the years 1896 and 1897 be, and the same is hereby, revived and reenacted: *Provided,* That this act shall be null and void unless the actual construction of the bridge hereby authorized be commenced within one year and completed within three years from the date of approval thereof.

Sec. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

The SPEAKER. The question is on the third reading of the Senate bill.

The bill was ordered to be read a third time, was read the third time, and passed.

A similar House bill was laid on the table.

REORGANIZATION OF FOREIGN SERVICE OF THE UNITED STATES.

Mr. CAMPBELL of Kansas. Mr. Speaker, I present a privileged report from the Committee on Rules which I send to the desk and ask to have read.

The Clerk read as follows:

House Resolution 501 (Rept. No. 1546).

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of H. R. 13880, a bill for the reorganization and improvement of the foreign service of the United States, and for other purposes. General debate shall be limited to two hours, one-half to be controlled by those in favor of the bill and one-half to those opposed. At the conclusion of the debate the bill shall be read for amendment, after which it shall be reported to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill to final passage without intervening motion except one motion to recommit.

Mr. CAMPBELL of Kansas. Mr. Speaker, the bill sought to be made in order under this resolution has been reported by the Committee on Foreign Affairs. It makes certain consolidations and changes in the Consular and Diplomatic Service. The rule provides for two hours of general debate upon the bill, one-half the time to be controlled by those favoring the bill and one-half by those opposing it. The resolution has the support of the entire membership of the Committee on Rules, I think. Does the gentleman from Tennessee desire any time on the rule?

Mr. GARRETT of Tennessee. I think not.

Mr. CAMPBELL of Kansas. Then, Mr. Speaker, I ask for a vote on the resolution.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

Mr. PORTER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 13880) for the reorganization and improvement of the foreign service of the United States, and for other purposes.

Mr. GARRETT of Tennessee. Mr. Speaker, pending that motion, may I have the attention of the gentleman from Pennsylvania for a moment?

Mr. PORTER. Yes.

Mr. GARRETT of Tennessee. The rule provides for two hours of debate. I understand it to be agreeable all around that that time shall be controlled, one-half by the gentleman from Pennsylvania [Mr. PORTER], and one-half by the gentleman from Maryland [Mr. LINTHICUM].

Mr. PORTER. That is the understanding.

Mr. GARRETT of Tennessee. Will not the gentleman kindly make that request?

Mr. PORTER. Mr. Speaker, I ask unanimous consent that one-half the time shall be controlled by the gentleman from Maryland [Mr. LINTHICUM], and one-half by myself.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The question is on the motion of the gentleman from Pennsylvania that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 13880.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 13880, with Mr. HICKS in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 13880, which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 13880) for the reorganization and improvement of the foreign service of the United States, and for other purposes.

Mr. PORTER. Mr. Speaker, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none. According to the rule and unanimous-consent agreement the Chair recognizes the gentleman from Pennsylvania to control one hour in favor of the bill.

Mr. PORTER. Mr. Chairman, I yield 30 minutes to the gentleman from Massachusetts [Mr. ROGERS].

Mr. ROGERS. Mr. Chairman, every man thinks that a measure to which he has given a great part of his time for some years is an important measure. I do not wish to presume in making this statement, but I think it is perfectly fair and perfectly conservative to say that the adoption of some such legislation as is here proposed will very materially improve the efficiency and the businesslike organization of the foreign service of the United States. I do not ask you, of course, to accept that upon the authority of the sponsor of the bill. I should like to call your attention to some of those who, after having given it a great deal of study, are recommending this measure. The former Secretary of State, Mr. Robert Lansing, is very strongly in favor of the bill. We have the explicit and vigorous approval and indorsement of the measure from the present Secretary of State, Mr. Hughes. If members of the committee are in doubt as to the attitude which they should take upon this bill, I should like to call their attention to certain extracts from the testimony of Secretary Hughes which are reprinted in the report, beginning on page 10 and concluding on page 14. Then we have the testimony of men who are veterans in the foreign service and who are looking at the question from a technical viewpoint—men whom the House trusts, and whom I think the House has reason to trust. I refer, for example, to the present Undersecretary of State, Mr. William Phillips, to Mr. Wilbur J. Carr, director of the Consular Service, who is perhaps as well known to the membership of this House as is any man in the Government, and who never fails to convince us both of his ability and sincerity, as well as the value of his long experience. I refer to Consul General Skinner, one of the best men in the service of the United States. Former Ambassador Henry White indorses this bill. John W. Davis, formerly an honored Member of this House and more recently ambassador to Great Britain, made a special journey from New York so that he might state to the Committee on Foreign Affairs his belief in the measure and his reasons why he believed some such program is essential to our foreign service. I refer also to Mr. Frank L. Polk, former Undersecretary of State, who also came on from New York to testify, and who made a very

earnest appeal for legislation of this kind. I should like to call to the attention of the committee the fact that practically every chamber of commerce and trade organization in the United States and many of the American chambers and trade organizations functioning in other parts of the world have gone on record as favoring this particular reorganization of our foreign service. Almost all the business organizations which have foreign trade contacts are also on record to the same effect.

While I do not wish to seem to single out the views of any one Member of the House, I think it may interest my colleagues to know that the chairman of the Committee on Appropriations [Mr. MADDEN] has made a very careful study of this bill both with respect to its substantive provisions and with respect to the outlay which will become necessary under it. Mr. MADDEN authorized me this morning to say that he is heartily in favor of the bill, and hopes a little later, after his committee duties are concluded, to speak in its favor.

Mr. BLANTON. Will the gentleman yield?

Mr. ROGERS. Certainly.

Mr. BLANTON. Who wrote the bill?

Mr. ROGERS. The bill, like most reorganization bills, is an evolution. I think, perhaps, I wrote more of it than anybody else, but I have for weeks had the very valuable assistance of the members of the Committee on Foreign Affairs and of representatives of the State Department whom we called before us and who helped us materially.

Mr. BLANTON. The question I desired to ask the gentleman is this. There was no explanation given Members of the House on the rule which was very limited.

Mr. ROGERS. Yes.

Mr. BLANTON. The bill has not been read; we let it go by without a first reading. There has been no statement made as to what changes in the present law the bill makes. As one Member of the House, I think I would like to know the changes—

Mr. ROGERS. The gentleman will perhaps not be surprised to hear that I had intended to discuss the bill. It is for that purpose I have taken the floor.

The present foreign service of the United States is not a single foreign service. It is a dual service with the two sides of the system just as distinct as if they were in separate watertight compartments. On one side we find the Diplomatic Service of the United States; on the other side, separated from the Diplomatic Service by battlements and a moat, we find the Consular Service. A little later I shall show more in detail why I think the separation is unfortunate. At this point I would suggest simply one good reason. In the old days—and this separation is a relic of the early times of the Republic—in the old days the problems coming before our Diplomatic Service or our Consular Service were rather simple, narrow, specific things. Our world trade and our world politics seldom touched each other.

Nowadays every international question has both its diplomatic aspect and its business aspect. There is no question that comes before either side of our foreign service to-day which is not both commercial and political. And yet we have the diplomatic side of the service, the political side, completely distinct in every way from the business side of the service. That segregation arises, as I say, from historical reasons. But as the years have passed, and especially as the postwar period has more and more brought us into direct contact with world business problems, the vice of the present arrangement becomes increasingly apparent.

Let us try to visualize what these two isolated services involve. I am going to suggest that we picture the present Diplomatic Service as a tall pole, like a flagpole, sticking high up in the air, and the Consular Service a similar pole sticking up in the air a short distance away. There are no less than 25 salary and class graduations in the consular side of the service. There are six classes of consuls general; there are nine classes of consuls; there are three or four classes of consular assistants; there are three or four classes of vice consuls of career, and various others. Such a number of subdivisions for the Consular Service is manifestly unnecessary if not absurd. There are many anomalies in the arrangement of these classes which have developed from historical causes. For instance, some consuls general get higher salaries than some ministers, although they are theoretically, at least, of lower rank than ministers. For example, also, some consuls general get less salary than consuls, although naturally the title of consul general is of superior rank and authority. But aside from that there is no possible reason in theory or practice why we should have 25 classes of consuls general and consuls.

On the other side we have the diplomatic flagpole with only 4 subdivisions, as against 25. Four is too few, just as 25 is too many. But that also has arisen because of certain conditions of the past.

Here is the situation with respect to salaries: The salary range on the consular side is from \$1,500 at the bottom to \$12,000 at the top, but the salary range on the diplomatic side is from \$2,500 at the bottom to only \$4,000 at the top. A man enters the Diplomatic Service at the age of 25 or 30; he gives the 20 years which are the best years of his life to his work; he succeeds above the average of his fellows, and then he finds himself at the end of that 20 or 25 years elevated to class 1. He gets a salary of \$4,000. His colleague on the consular side, serving for the same period, performing no more important duties and with no greater ability, may hope to rise to a salary of \$12,000.

We suggest that both of these situations are anomalous and absolutely detrimental to the well-being of the service. So we take our two poles, put some rungs between them, and thus make them a ladder. We put in nine rungs to constitute the ladder, and we call the resultant apparatus "the foreign service of the United States." Each of these rungs represents a class. Each represents a merit promotion from the bottom class, which is class 9, up to the top class, which is class 1. Every efficient man, secretary or consul, now in the service is given an appropriate rung on the foreign service ladder. Every new man admitted hereafter starts at the bottom rung.

Mr. HUSTED. Mr. Chairman, will the gentleman yield?

Mr. ROGERS. I yield.

Mr. HUSTED. I am very much interested in the bill. I think it is a perfectly splendid piece of legislation. But I wonder why the gentleman in section 4 carries the distinction which he calls anomalous. Section 4 provides that these foreign officers may be appointed as secretaries, or consular officers, or both. Why not have them simply appointed as foreign service officers and assigned to such work in the department as is best for it?

Mr. ROGERS. Because, as Secretary of State Hughes pointed out in his testimony, we can not, by writing a piece of domestic legislation, overcome world conditions and practice and nomenclature. Great Britain is not going to know our representative in London as a foreign-service officer. Our representative there must function as a secretary, or as a consul or consul general, as the case may be. All we can do is to erect this foreign-service superstructure for the purpose of making interchangeable the two sides of the service and for the purpose of establishing a uniform salary scale which will permit that interchangeability.

Mr. HUSTED. I must say that I can not quite see the force of the objection. It does not apply to ministers. It applies only to consuls and secretaries, and when accredited to any particular nation they would be assigned to certain duties, consular, or diplomatic, or clerical duties. Their status could easily be ascertained.

Mr. ROGERS. But a consular officer is a principal officer of the United States abroad. All our statutes and all the statutes and usages of every other country deal with these representatives as secretaries or as consuls. We have examined carefully the very point the gentleman makes. The views of every man with whom I have talked and the view of the committee, I think, was that while it would be desirable to get rid of the designations as secretaries and consuls, it would accomplish nothing so far as our fundamental purpose in this bill was concerned and might lead to very serious embarrassment as these officers tried to function in the cities of the world to which they went. The "foreign-service officer" designation must, I think, be a domestic matter, and it could scarcely pass current abroad.

Mr. HUSTED. I think it would not affect the fundamental purpose of the bill at all. I do not believe it would lead to any serious embarrassment. It would make them more harmonious simply to have them assigned as foreign-service representatives, and then they could be assigned to particular duties.

Mr. ROGERS. It can, in my opinion, do no harm to retain the old designations, and may easily do affirmative good.

Mr. CHINDBLOM. Mr. Chairman, will the gentleman yield?

Mr. ROGERS. Yes; I yield to the gentleman from Illinois.

Mr. CHINDBLOM. Will this bill frame our general foreign-service structure along practically the same lines as the foreign service of other countries?

Mr. ROGERS. Most of the other principal powers of the world have been tending more and more toward this interchangeable idea. Our principal trade rivals have almost complete interchangeability. We are the only principal power in the world, I think, that apparently thinks it is conclusive that a man who once starts as a consul shall, whatever his fitness,

never become a diplomatic officer and vice versa. Only one consular officer in a quarter of a century has been made a minister.

Mr. CHINDBLOM. Of course, many foreign countries now are bringing men of commercial experience and prominence into their foreign service.

Mr. ROGERS. Yes. That is precisely what we hope will result from this bill. We hope it is going to bring business methods and business men into the foreign service. We think it will tremendously broaden the range of selection of men who will desire to enter the foreign service. The wider the field of selection the better should be, and I believe will be, our personnel and our representation.

Mr. CHINDBLOM. If I understand the tendency in other countries, particularly the large commercial countries, it is toward a removal from the old bureaucratic system.

Mr. ROGERS. Yes; and to permit flexibility where flexibility is likely to help the service and the country involved.

Mr. CHINDBLOM. One other question: Does this bill relate to the work that is being done by the Department of Commerce in foreign lands?

Mr. ROGERS. It has no bearing whatever upon the agencies of the Department of Commerce. The House of Representatives and the Congress have very recently and by a decisive vote indicated that they wished to retain the foreign activities of the Department of Commerce. I think the Committee on Foreign Affairs would feel that it had no right to go against what seems to be an apparent mandate of the House in that regard.

Mr. MOORE of Virginia. Will the gentleman yield?

Mr. ROGERS. I yield to the gentleman from Virginia.

Mr. MOORE of Virginia. As I recall, the Secretary of State said he believed this bill had the cordial approval of the Department of Commerce.

Mr. ROGERS. He specifically stated that in the hearing.

Mr. CHINDBLOM. May I make one other observation in connection with what I have said? For my part, personally, I think it would be advisable if we could coordinate the work of the Department of Commerce and that of the foreign service.

Mr. ROGERS. I have long shared the gentleman's feeling about that.

Mr. TOWNER. Will the gentleman yield?

Mr. ROGERS. I yield to the gentleman from Iowa.

Mr. TOWNER. I notice in section 3 a very succinct statement of the proposition:

That the official designation "foreign service officer" as employed throughout this act shall be deemed to denote permanent officers in the foreign service below the grade of minister, all of whom are subject to promotion on merit, and who may be assigned to duty in either the diplomatic or the consular branch of the foreign service at the discretion of the President.

Mr. ROGERS. Yes.

Mr. TOWNER. I call the attention of the gentleman to section 5, which states that—

hereafter appointments to the position of foreign service officer shall be made after examination or, after five years of continuous service therein, by transfer from the Department of State under such rules and regulations as the President may prescribe.

There is an extension, then, is there not, of the examination system, not only to the Consular Service as it already exists but also to the Diplomatic Service—to the undersecretaries, and so forth?

Mr. ROGERS. Since 1915 the Diplomatic Service has been filled as a result of examination also, excluding, of course, ambassadors and ministers.

Mr. TOWNER. Yes, certainly. Does it include all other officers in the Diplomatic Service?

Mr. ROGERS. All officers in the Diplomatic Service below the rank of minister are now selected by examination, and have been for some years.

Mr. DOWELL. Will the gentleman yield for a question?

Mr. ROGERS. Yes.

Mr. DOWELL. Section 5 provides that hereafter they shall all be examined for appointment to the foreign service.

Mr. ROGERS. Yes; below the rank of minister.

Mr. DOWELL. Does that mean that those now in the Diplomatic Service, before appointment to the new foreign service, would be required to take an examination under this clause?

Mr. ROGERS. Section 7, line 14, specifically exempts those now in the service from further examination before reappointment in the foreign service.

Mr. DOWELL. Just one other question. Who makes the classification that is provided for, and on what basis is the classification made?

Mr. ROGERS. Does the gentleman mean the creation of the classes in the bill or the appointments to the classes under the bill?

Mr. DOWELL. I mean the appointments under the bill. I understand that there are now different classifications under this bill?

Mr. ROGERS. Yes.

Mr. DOWELL. I assume from the language that some one must place certain positions in certain classes. Who makes the classification under section 2?

Mr. ROGERS. I think if the gentleman will turn to section 7 he will find his question answered.

Mr. DOWELL. On what basis are they classified?

Mr. ROGERS. On the basis of efficiency, and also on the basis of the rank which they now hold, assuming they are found efficient.

Mr. DOWELL. Serving in different countries or different places, is there any difference in the classification in the various countries—for instance, in the Consular Service, in one country or in another?

Mr. ROGERS. In recent years there has been no classification of the Consular Service by posts. A man moves upward from class to class, first vice consul at the bottom, then consul halfway up, and then consul general. So the answer to the gentleman's question is no.

Mr. DOWELL. Is there the same classification and the same pay for the same position at one point as at another point?

Mr. ROGERS. There is no geographical element involved in the classifying.

Mr. DOWELL. But there is the rank, so far as the pay is concerned, and I assume that is with reference to the importance of the position.

Mr. ROGERS. Precisely.

Mr. DOWELL. And that is determined and the appointment is made and the classification made according to the importance of the place where they are serving?

Mr. ROGERS. Yes. Not merely, of course, the importance of the city as such, but its importance as a point of trade contact or political contact with the United States.

Mr. DOWELL. Is that based on trade questions as to classification?

Mr. ROGERS. Yes; so far as the consuls are concerned, it is governed almost exclusively by that consideration. That is naturally true, because only a few consulates have any political functions, those few being at places like Ottawa and Cape Town, and the like, where consuls general represent the United States at capitals of self-governing possessions of the British Empire or some other power.

Mr. DOWELL. The qualifications and pay are all based upon these considerations?

Mr. ROGERS. Yes.

Mr. TILSON. Will the gentleman yield?

Mr. ROGERS. Certainly.

Mr. TILSON. In the matter of promotion, does the bill provide that it shall be by blind seniority, so that a man starts in at the bottom, regardless of achievement, and goes along until he reaches the highest point, while another man, far superior in qualifications and performances, must be delayed? In other words, do they all go along together, without any chance of promotion for ability or for special merit of any kind?

Mr. ROGERS. There is no requirement in the present law, and no absolute requirement in this proposal, that promotion shall be either by selection or by seniority. So far as there is a requirement in this bill, the gentleman will find it in section 6, which provides:

That the Secretary of State is directed to report from time to time to the President, along with his recommendations, the names of those foreign-service officers who by reason of efficient service have demonstrated special capacity for promotion to the grade of minister, and the names of those foreign-service officers and officers and employees in the Department of State who by reason of efficient service, an accurate record of which shall be kept in the Department of State, have demonstrated special efficiency, and also the names of persons found upon taking the prescribed examination to have fitness for appointment to the lower grades of the service.

Our practice in the past has always been to move up men because they deserved to be moved up and not merely because they were older or had longer experience in the service. Every requirement of efficient service—of course, assuming proper administration—necessitates selection promotion instead of seniority promotion.

Mr. TILSON. The gentleman realizes that there is always danger when it comes to make a selection by merit or examination, and unless there is some means of selection, and blind seniority is followed, it means danger and death.

Mr. ROGERS. That is an age-old controversy in the Army and the Navy. I agree with the gentleman that as far as foreign service is concerned the selective basis is the lesser of the two evils.

Mr. BLANTON. That is not only in the Army and the Navy but in the House of Representatives. [Laughter.] The gentleman has alluded to the nine-rung ladder. Is that ladder social or political? [Laughter.]

Mr. ROGERS. It is one of true merit—an American ladder.

Mr. BLANTON. But the foreign agent who is on the ninth rung of the ladder would be nine places removed on social occasions from the one who occupied the first rung.

Mr. ROGERS. Not at all.

Since the gentleman has brought up the social question I will discuss it for a moment.

As between the present two services, the Diplomatic Service is primarily the social agency of the Government. In my judgment, the caste that has occasionally become manifest in the Diplomatic Service has been most unfortunate and un-American. If this bill passes, a young man upon entering the foreign service will, I hope, first be sent to a consulate. He will learn a lot of things at that consulate. He will learn things he could never learn from books.

Usually the young secretary in the past has gone from the law school or the college right into the foreign service. He has had no opportunity to know business or to learn business methods. He has had no advantage in age or experience which gives him a sufficiently level head to withstand the temptations of society abroad. I have seen very young men go into the foreign service. They were incessantly invited out to dinner, fêted and treated with distinction by people of fashion and position. They lost their heads and their Americanism at the same time. They lost their sense of perspective and values.

Do not think that I am speaking of all of them. I fear that I am speaking of a considerable portion of them. Now, if we start in a young man at the consulate he is not going to have a fuss made about him socially—he may be in Singapore or on the West Coast of Africa, or in Central America, where there is no society. He will learn business methods. He will acquire poise and sense and discrimination. He will learn to keep his head when later he is on duty at a European capital. He is going to be a more useful man to himself always, and that means that he is going to be a more valuable public servant to the United States. He will have a grasp of business and trade and politics. We shall get rid of the caste system, of a system where the diplomatic side of the service sometimes looks down on the consular side. We shall create a spirit of loyalty to a single unified foreign service and not primarily loyalty to the side of the service to which the individual member belongs.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. PORTER. Mr. Chairman, I yield to the gentleman from Massachusetts 10 minutes more.

Mr. FESS. Will the gentleman yield?

Mr. ROGERS. Certainly.

Mr. FESS. Is there any increased facility in educational institutions for the training which the gentleman has mentioned for the Consular Service?

Mr. ROGERS. More and more institutions are giving courses or groups of courses which are adapted to the training of young men for the foreign service.

But to my mind—and important as the academic training is—far beyond what any educational institution can do is the going to school in the consulate. I want to see a man enter the service with thorough knowledge of at least one foreign language, with knowledge of international law, with knowledge of the methods of foreign commerce and intercourse, and so forth, so that he will start as far along on his journey as possible. Then I want him to go to the most practical school in the world—the school in the consular office abroad.

Mr. FESS. Is it necessary in order to get into the diplomatic service to start in the Consular Service, if this bill should pass?

Mr. ROGERS. It is not necessary, but I hope that a wise administration of this bill will insist that every man when he enters the service as a young man shall get a good stiff course in the Consular Service. That is the business part of the Government abroad.

Mr. FESS. I am somewhat confused at a statement that Mr. Hughes made. I refer now to page 5 of the hearings. He said:

The bill does not make a diplomatic officer out of one who is not a diplomatic officer.

Mr. ROGERS. That is true. When a man is representing us abroad he is known to the country of his post as either a diplomatic officer or as a consular officer, because that is the only nomenclature they understand. The gentleman from New York [Mr. HUSTED] suggests that perhaps we could reform the situation in that respect by eliminating secretaries and consuls

as such. It is possible that we could. As I answered him, I think we get all the benefits of the change by creating a foreign service in which these men may be transferred freely as a matter of administration from one side to the other.

Mr. FESS. Will the two functions, diplomatic and consular, remain separate and distinct after we pass this bill?

Mr. ROGERS. Yes; in general. We shall still, in London, for example, have a consul general and also an embassy force, although the consul general will be a foreign officer of class 1 in our superstructure, so far as domestic classification and salary are concerned.

Mr. FESS. The gentleman understands that I am in entire sympathy with the bill.

Mr. ROGERS. I appreciate greatly the gentleman's support.

Mr. HUSTED. Mr. Chairman, will the gentleman yield?

Mr. ROGERS. Yes.

Mr. HUSTED. Has the gentleman ever considered the desirability and practicability of maintaining a diplomatic and consular school in the State Department, just as we do for the Army service, just as we do for the Navy service, with instruction in a classroom, practical experience in the consulates and legations and embassies? It is a technical training, and I think it would be a wonderful thing to do.

Mr. ROGERS. I have given a great deal of thought to that question. In an earlier draft of this bill I had a provision for very much the thing the gentleman has in mind. Mr. Hughes, in going over my original proposal, recommended that for the present at least the school idea be not considered. If the gentleman has the opportunity he will find in a letter to me from the Secretary of State, which appears on page 61 of the hearings, an analysis of the reasons that led him to postpone the recommendation for the present, at least.

Mr. BLANTON. Mr. Chairman, will the gentleman tell us how much this bill is going to cost?

Mr. ROGERS. With pleasure. Before I mention the exact figure—and I will mention it—I should like to indicate why it is necessary to have a salary revision. As I have said, the salary scale of the consular service is from \$1,500 up to \$12,000, and of the diplomatic service from \$2,500 to \$4,000, although the top diplomatic officer is fully comparable in the importance of his duties and in his presumed ability with the top officer in the consular service. Suppose you have this situation: We have a counselor of embassy at London, with a salary of \$4,000, and we have a consul general at London with a salary of \$12,000. If for some administrative reason it is desirable to transfer that consul general to another post as a counselor, you would have to cut his salary from \$12,000 down to \$4,000. That is an extreme case, of course, but you find the same situation existing in some degree everywhere. So we have assimilated the two salary scales. We have started the top class of the foreign service officer at \$9,000, and we have graduated it down to \$3,000.

The total cost of this bill per year will be not far from \$325,000. Mr. Hughes said that in his judgment it was the most efficient expenditure of money which the United States could possibly make, and he closed his testimony with these words:

Protect the Government from wasteful outlay. I am for that strongly, but do not hurt your Government by foolish economy.

This is going to cost, as I say, about \$325,000 a year.

Mr. BLANTON. More than it now costs?

Mr. ROGERS. More than it now costs.

Mr. BLANTON. Then I am against it.

Mr. ROGERS. I thought so.

I want to call to the attention of gentlemen the fact that the foreign service of the United States is to-day practically self-supporting. Within the last three years it has been absolutely self-supporting, and only the passage of the Johnson 3 per cent immigration law has prevented it from being self-supporting during the last year. For the current year it is costing about \$3,000,000 net. I think when you consider the manifold agencies and usefulness of this department in representing the country all over the world you will see that it is not top-heavy either in salary or in the outlay it involves to the Government. Remember that this is the department of peace. Contrast the cost with that of the War and Navy Departments.

Mr. HUSTED. Might I say incidentally in that connection that the revenues of the Department of State cover the entire cost of maintaining the foreign service abroad.

Mr. ROGERS. I am not going to discuss the retirement provision at this time—

Mr. STAFFORD. Mr. Speaker, will the gentleman yield?

Mr. ROGERS. Yes.

Mr. STAFFORD. The purpose of my rising was to ask the gentleman to make some explanation of the retirement feature.

Mr. ROGERS. But my time is almost up.

Mr. STAFFORD. I understood that the gentleman had yielded 30 minutes.

Mr. ROGERS. It was not my purpose to use so much time.

Mr. STAFFORD. The chairman of the committee is very considerate of the gentleman—

Mr. ROGERS. If the gentleman will yield me five minutes additional, I will try to answer.

Mr. PORTER. I yield the gentleman five additional minutes.

Mr. STAFFORD. I wish to inquire on what basis the committee arrived at the fixing of the maximum and minimum annuities for the retirement of the foreign-service officers?

Mr. ROGERS. We considered various factors in arriving at those particular figures in the retirement section. We considered, in the first place, what the other countries of the world were doing in the way of retirement, and found they were retiring their officers in general on a percentage which ranged from about 65 per cent to 87 per cent of their salaries. Our maximum, as the gentleman will notice, is 60 per cent after 30 years' service.

Mr. STAFFORD. Where is the determinate factor, so far as the legislation the gentleman has reported is concerned, as to the annuity that these various officers shall receive in the respective classes?

Mr. ROGERS. As I say, we were guided somewhat by the practice which has prevailed for some years in other nations. Great Britain has a maximum of 87 per cent for her retirement in the case of a long-service officer, and Great Britain, as I desire the gentleman especially to note, has a noncontributory system. She does not require a penny of contribution from her foreign-service employees. We require a contribution of 5 per cent of the salary calculated on the basis of the Lehlbach civil service retirement law.

Mr. STAFFORD. But what is the determinate factor of the rate they will receive between the maximum and minimum? Is that left entirely to the discretion of the department in determining the rate of retirement?

Mr. ROGERS. I think I did not understand the gentleman's question fully. In the first place, the determinate factor is the number of years he has served. That factor throws him into one of the classes lettered A-F, inclusive. The second factor is the average salary—which we call the "average basis salary" in the Lehlbach law—for a period of 10 years prior to the date of retirement. Suppose a man is getting \$3,000 for 3 years and \$4,000 for 4 years and \$5,000 for 3 years and then retires. His average salary for the 10 years would be about \$4,000. If he had served 30 years he would get 60 per cent of that.

Mr. STAFFORD. Where is your provision in the bill that states that he shall receive 60 per cent or any other percentage?

Mr. ROGERS. The gentleman will notice the Lehlbach law is made determinative except as amended. If he will refer to the Lehlbach law he will find that the method of computing the retirement allowance is set forth in full.

Mr. STAFFORD. Has any estimate been made as to the amount that will be required by reason of this retirement feature?

Mr. ROGERS. On that matter we have had the assistance of the actuaries in the State Department. We have also had the assistance of private insurance companies. The Bureau of Efficiency has very carefully charted an estimate in ways which, I am frank to say, are quite beyond my comprehension. For the first 20 or 25 years under the operation of the law it will cost nothing, because the contributions will exceed the outlay. After that there will be a gradual increase of cost which must be appropriated by the Federal Government, and which will ultimately rise to its peak of about \$400,000 per year.

Mr. STAFFORD. And is that in addition to the gentleman's estimate of \$325,000 to \$350,000 for salaries alone?

Mr. ROGERS. Three hundred and twenty-five thousand dollars is the cost in salary alone. About 1960 the retirement cost will rise for a time to about \$400,000. Then it is expected to decline somewhat gradually.

Mr. BLANTON. Then our great-grandchildren will not be taxed so heavily?

Mr. ROGERS. They will have to pay a little more for the retirement of foreign-service officers—

Mr. BLANTON. How much has been estimated it will require for the retirement during the first 10 years of this law?

Mr. MOORE of Virginia. The first 10 years it will not cost anything. They will meet the bill for the first 10 years, except \$50,000 as the initial payment.

Mr. ROGERS. If the gentleman from Wisconsin is interested—

Mr. STAFFORD. I am greatly interested.

Mr. ROGERS. Until 1944 the receipts from the 5 per cent payment of the employees will more than balance the payments of annuities. After that there will be necessary a gradually increasing appropriation until the sum of about \$400,000 is reached about 1960. Then it will begin to sag again.

Mr. DOWELL. Will the gentleman yield?

The CHAIRMAN. The time of the gentleman has again expired.

Mr. PORTER. I yield the gentleman two minutes additional.

Mr. DOWELL. Does this increase the number in the foreign service?

Mr. ROGERS. There is no intention in this bill of increasing by one man the number of the personnel of the foreign service. My authority is Director Carr, of the Consular Service. He testifies that the result of this greater flexibility will be to reduce somewhat the number of men necessary, because we shall be able to use the same man in more different ways than we have ever been able to do before.

Mr. DOWELL. And to better advantage?

Mr. ROGERS. Yes.

Mr. MOORE of Virginia. And the gentleman remembers Director Carr said in his testimony that we could confidently forecast that there would be no need of increasing the number of personnel.

Mr. ROGERS. I thank the gentleman. He made that explicit statement.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. LINTHICUM. Mr. Chairman, I yield 15 minutes to the gentleman from Texas [Mr. CONNALLY].

The CHAIRMAN. The gentleman from Texas is recognized for 15 minutes.

Mr. CONNALLY of Texas. Mr. Chairman and gentlemen of the committee, I am forced to announce an opinion contrary to that of my colleague on the committee, Mr. ROGERS, of Massachusetts. For years the gentleman from Massachusetts has been endeavoring to secure the enactment of legislation similar to that now before the committee.

In this connection I may say that I am not averse to legislation reorganizing the foreign service and increasing to a slight degree the compensation of the consuls and diplomatic secretaries. But this particular bill, in undertaking to establish what is called a unified foreign service, confuses, as I believe, and makes contradictory the provisions as they will be construed abroad, and, for that matter, here at home. One of the purposes of this bill is to unify—if I may borrow the language of the gentlemen who favor this bill—unify the service and create one foreign service and appoint officers in that service under the nomenclature of foreign-service officers. But, gentlemen of the committee, that will be purely a theoretical designation. It will have no force or effect anywhere on earth except on the books of the State Department. We frequently hear it said that a Treasury balance or fund is simply a matter of bookkeeping. In this instance the designation of foreign-service officer will simply be a matter of bookkeeping and administration in the State Department.

Now, why? Because the moment the foreign-service officer leaves the shores of the United States and comes in contact with the diplomatic or consular officers of other countries he ceases to be a foreign-service officer; he becomes a consul, or a diplomatic secretary, or a minister, or ambassador.

They know no other distinction; they know no other classification; and this artificial theory of a man being a foreign-service officer will be unknown abroad. The gentlemen who appeared before the committee and the gentleman from Massachusetts himself [Mr. ROGERS] will not dispute the fact that such designation is purely a fiction, purely a fictitious designation, which will obtain only in the State Department in its assignment of the personnel from one service to the other.

My idea about that is that if it is desirable to provide for the interchangeability of men from the Diplomatic Service to the Consular Service, simply write a clause into this bill saying so; saying that the President may transfer a man from the Consular Service into the diplomatic secretarial corps, or vice versa.

Now, let me show you with what you are going to be confronted in connection with this particular bill. The bill first provides that a man who is appointed in the foreign service shall be appointed as a foreign-service officer. He is appointed by the President as a foreign-service officer. That appointment goes to the Senate; he is confirmed; he is commissioned as a

foreign-service officer. And yet under that commission he can not perform a single duty. Why? Because under the Constitution and under the diplomatic and international law, if he acts as a consul, he must be reappointed by the President as a consul, reconfirmed by the Senate, and recommissioned.

Now, if after that officer is commissioned as a consul it is desired by the President that he be transferred into the Diplomatic Service as a secretary, he then must be appointed by the President as a diplomatic secretary, confirmed by the Senate, and have a new commission issued to him. So you are going to have the rather anomalous situation of a foreign-service officer lugging three commissions around. He is a foreign-service officer, he is a consul, and he is a diplomatic secretary.

Now, gentlemen, I want to ask, Why the necessity? If he must be commissioned otherwise finally, if he has to be commissioned finally as a diplomatic secretary or consul, what is the use of lugging in another commission as a foreign-service officer? Why not provide by law simply that the President may transfer from one branch of the service to the other at his will and end it there?

The gentleman from Massachusetts touched upon a delicate point. Those in the Consular Service desire an enlarged service because the diplomatic secretaries now take social precedence over all the consuls, vice consuls, and employees in the Consular Service. They desire a unified service, that social distinctions may be abolished. Why? Because in foreign countries diplomatic secretaries have the privilege of immunity. They have a certain social standing that does not attach to consuls and vice consuls. And so, upon the theory that by adopting this fiction, this theoretical structure in which there will be one unified foreign service, it is hoped by the Department of State to tear down those social distinctions.

Well, now, gentlemen, those social distinctions are created by the customs of foreign governments. We are not going to change that system, and I do not think it is any part of our duty to undertake to change it, because if this bill becomes a law the consul abroad will still be a consul in France, in Great Britain, and elsewhere. They will know whether you are a consul or a secretary in France and Germany and everywhere else under the bill. They do not know a foreign-service officer. A man will not be a foreign-service officer, but he will be a consul or a diplomatic secretary, just as he is to-day.

Now, another feature of this bill which does not meet with my approval is that wherein the act provides for a reclassification of everybody now in the service. Well, there is no objection to that in itself, but it provides for nine classifications, beginning with the maximum salary of \$9,000 and then going down toward the bottom.

There is nothing in the bill limiting the percentage of the different grades. By that I mean that according to my view class 1 should not contain in excess, say, of 10 per cent or 5 per cent of the total personnel. Class 2 ought to be a little larger, class 3 still a little larger, and so on down. But under this bill there is no limitation as to the classification, and we might be confronted with a situation in which under this bill the Department of State might have a top-heavy organization, with a great many men receiving \$9,000 and \$8,000 and a very few men receiving \$5,000, \$4,000, or \$3,000.

Mr. BLACK. The bill gives the Secretary of State the exclusive authority to make the reclassification, does it not?

Mr. CONNALLY of Texas. The President; but it would amount, of course, to the Secretary of State.

Mr. BLACK. The gentleman will recall that when we passed the reclassification bill we provided that the departments should reclassify subject to the approval and ratification of the Bureau of the Budget.

Mr. CONNALLY of Texas. I will say to the gentleman that I do not think the general reclassification bill covers officers covered by this bill and hereafter called foreign-service officers.

Mr. BLACK. No; it does not, though probably the principle would cover them. But if the reclassification was to be done by the President, probably he would consult the Bureau of the Budget or some authority of that kind.

Mr. CONNALLY of Texas. He probably would. The Bureau of the Budget seems to be occupying a very large part of the public eye now, and I am quite sure that the administration would call upon it.

Mr. BLACK. The point I had in mind was that of economy, because, as the gentleman has well said, the bill does not restrict the classification, and there would be room for a very great enlargement of the expenses of the Diplomatic and Consular Service by this reclassification.

Mr. CONNALLY of Texas. That is very true, and that is the point I was trying to bring to the attention of the com-

mittee, that the bill in its present form places no limitation on the percentages of those who occupy the different classes.

Mr. BROWNE of Wisconsin. Will the gentleman yield?

Mr. CONNALLY of Texas. I yield to the gentleman from Wisconsin.

Mr. BROWNE of Wisconsin. Is it not a fact that the appropriations for the State Department, including the foreign service, would prevent the Secretary of State from making too many appointments in class 1? Salaries can not be paid unless they are appropriated, and, of course, the purpose of the Secretary of State would be to have his administration as efficient as possible, so that he would grade them down just as they should be.

Mr. CONNALLY of Texas. Of course, if everybody did right there would be no occasion for law. But let me state this to the gentleman, that if the law provides for the classification of an officer and vests in the Secretary of State the power to make that classification, then the officer placed in that classification becomes entitled to the salary of that class, because that then becomes a statutory position, and he becomes entitled to the compensation from the Government at that rate irrespective of whether Congress makes the appropriation or not.

Mr. BROWNE of Wisconsin. The gentleman does not mean to say that a man would get any salary if there was not enough money in the appropriation to go around?

Mr. CONNALLY of Texas. No; of course, he could not be paid out of the Treasury until Congress appropriated for it; but I do say that Congress would be guilty of a moral wrong if it made it possible for a man to be classified and entitled to a certain salary, and then did not appropriate the money out of the Treasury to pay it.

Mr. BROWNE of Wisconsin. I do not think there is any danger of the state of affairs which the gentleman seems to fear.

Mr. CONNALLY of Texas. Then why not let the Secretary of State do this whole thing?

Mr. BROWNE of Wisconsin. Because that would be contrary to law.

Mr. CONNALLY of Texas. If the gentleman does not want any limitations put upon the Secretary of State, then why not let him do as he pleases about this whole thing?

Mr. BLACK. I should like to ask my colleague one other question for information.

Mr. CONNALLY of Texas. I yield to my colleague.

Mr. BLACK. This bill provides for the retirement of these foreign-service officers after they reach a certain age?

Mr. CONNALLY of Texas. Yes.

Mr. BLACK. And it provides a very liberal scale of annuities and provides that they shall contribute 5 per cent to the annuity fund?

Mr. CONNALLY of Texas. Yes.

Mr. BLACK. Did any actuary give any figures as to what part of the retirement fund this 5 per cent would contribute?

Mr. CONNALLY of Texas. It is supposed to contribute 42 per cent. That is the amount estimated to be contributed by the employees when the system is in full operation, and 58 per cent is to be paid by the Government.

Mr. BLACK. Of course, we know that at the start it will not cost the Government anything.

Mr. CONNALLY of Texas. No.

Mr. BLACK. But, figuring it upon the basis of what the premium will really buy, ultimately the Government will contribute 58 per cent and the employees will contribute 42 per cent?

Mr. CONNALLY of Texas. Yes. I will say in answer to my colleague that the figures that were submitted to us by the State Department and which we accepted at their face value were based upon the theory that under the Lehlbach law, as modified so far as this act applies, ultimately the Government would pay 58 per cent of the retirement fund and the employees 42 per cent.

Now, since the gentleman has called my attention to the retirement fund, I should like to observe that this feature is rather seductive in that it is claimed it will not cost the Government anything until 1944 because of the fact that in the meantime the employees will be contributing a larger percentage than will be consumed by those who retire. That is a matter of speculation, and it may or may not be realized. But in 1944 the retirement feature will begin to cost the Government considerable, and it is estimated, even by the Department of State, that ultimately the retirement feature alone will cost this Government \$500,000 a year. The retirement provision is extremely liberal, more so than that which applies to any other Government service unless it be the Army and the Navy. I submit that there is no comparison between the foreign service and the Army and the Navy when it comes to the matter of retire-

ment. Besides, the Army and Navy have had the retirement system since early in our history, and they are not up for consideration now as to whether they shall be continued or abolished.

But I do believe that the retirement provision is more liberal than this Government ought to sanction. It is much more liberal than that which applies to any civil department of the Government. If we have a liberal plan as to the foreign-service officers it will be an inducement and an argument for the raising of the rate of all in the governmental service in Washington and elsewhere. My own view of the matter is that the system of itself is of extremely doubtful value. In this particular service I do not believe that the Government ought to undertake it.

Mr. BLACK. Will the gentleman yield for one more question?

Mr. CONNALLY of Texas. I shall be glad to.

Mr. BLACK. If the retirement provision was stricken out, the employment would come under the general retirement law.

Mr. CONNALLY of Texas. They claim not; they are not under the civil service.

Mr. BLACK. I thought this would bring them under the civil service; I knew that the present status was not under the civil service.

Mr. CONNALLY of Texas. No; this is a revision of the law of 1915; this has several civil-service features, but they are not under the civil service; the department conducts its own examinations.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. LINTHICUM. Mr. Chairman, I yield to the gentleman five minutes more.

If you put the foreign service under the general retirement act they would only pay 2½ per cent instead of 5 per cent.

Mr. CONNALLY of Texas. That is true.

Mr. LINTHICUM. They would not pay so large a retirement pay.

Mr. CONNALLY of Texas. That is true.

Mr. BLACK. And the charge upon the Treasury would be very much less.

Mr. CONNALLY of Texas. Yes; so far as percentages go. Now, let me observe that the increase of salary alone under this bill—and I am not objecting to a reasonable increase of salary in the foreign service, because there are many positions in the foreign service that have not kept pace with other salaries. I do not object to an increase of salary, provided there are limits placed in the bill so that the Department of State can not have a great many high-salaried persons and very few with small salaries. The increase in salary alone amounts to \$528,000 annually.

Mr. LINTHICUM. Three hundred thousand.

Mr. CONNALLY of Texas. No; the \$200,000 is subtracted for post allowances. I am not talking about post allowances. The department estimates the increase in salary alone will amount to \$528,000. We have been providing for several years what is known as post allowances. The department subtracts the \$200,000 from the \$528,000 increase, and says that the net cost is only \$328,000; but from the standpoint of salary alone the increase is \$528,000, and in addition to that the bill provides for another increase of \$500,000 in the matter of retirement.

Mr. BLANTON. Will the gentleman yield?

Mr. CONNALLY of Texas. Yes.

Mr. BLANTON. I am not sure but that my colleague is right; but when there is a difference between my colleague and the chairman of the committee, who introduced the bill, of \$175,000 in salaries alone, how does the gentleman expect us to follow him and vote for his bill?

Mr. CONNALLY of Texas. I will state that the confusion arises—

Mr. LINTHICUM. Will the gentleman yield?

Mr. CONNALLY of Texas. Yes.

Mr. LINTHICUM. If the gentleman will turn to page 27 of the hearings he will find that Mr. Carr said that the total increase is only \$328,000. The amount for the first year would be \$378,000, because there is included \$50,000 to start the retirement system. The increase for the Consular Service would be minus the retirement fund of \$261,000. Take off half for post allowances and you would have \$161,000 really.

Mr. CONNALLY of Texas. I just explained to the committee that that was exactly the situation—that the increase in the matter of salaries is \$528,000. We have been in the habit of appropriating \$200,000 for post allowances, and that amount subtracted from the \$528,000 would leave a net increase of \$328,000.

Mr. STEVENSON. Will the gentleman yield?

Mr. CONNALLY of Texas. Yes.

Mr. STEVENSON. If the salaries are increased \$500,000, necessarily we will have to appropriate the \$500,000, while if it is left with post allowances we could decrease them or leave them off altogether; so that the legal increase which is necessary is \$528,000?

Mr. CONNALLY of Texas. Exactly. The gentleman may remember that when the Diplomatic and Consular bill was recently before the House, I contended that post allowances should be abolished, because I think it is a reprehensible practice to place large sums of money in the hands of the department for this purpose without reference to the salary established by law.

The bill liberally increases salaries. Of course, if you consult a foreign-service officer he thinks he is not drawing enough money. If you consult any one of the Senators, I suppose there is not one who would not admit that he is worth more than the salary he is drawing. I am satisfied that in our blushing modesty here in the House Members will be found who think that they ought to draw more money. I dare say there is not a clerk in the department who does not think that he ought to have a better job and more money. It is inherent in the public service, but there is the great world outside that invites gentlemen to enter industrial or commercial pursuits if they are not satisfied with the jobs they have.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. LINTHICUM. Mr. Chairman, I yield three minutes more to the gentleman from Texas.

Mr. CONNALLY of Texas. Mr. Chairman, it is always argued that gentlemen in the Diplomatic Service and in the Consular Service could get much higher compensation on the outside than they get in the service. Of course there are exceptional men in the Consular Service and there are exceptional men in the Diplomatic Service who might go out into other business and after becoming acquainted with it earn more money than they earn in those services, just as there are men on the floor of this House who if they should leave it and undertake to practice law would earn more money, possibly, than they receive here. So it is in all branches of the Government service. We can not compete with private business in the matter of salaries, and we ought not to attempt to do it, because it is impractical and because it is not a sound governmental theory. What are the services that a consular agent performs? He performs largely routine service. That service is largely standardized, dealing with commercial transactions and the viséing of passports and things of that kind. Of course, no man with a vaulting ambition, who wants to accomplish great things in the world, is going to be satisfied to be stuck off in some little foreign port with some \$2,500 a year salary, but if he is not he is not going to go there. We can not adjust the compensation of those in the governmental service with private service commanding large compensation, though this bill does make liberal allowances in the matter of increase.

Most of those in the service remain in the service not because of the salary but because they like this particular kind of work, just as you gentlemen keep these seats here because you like congressional work and congressional service. You need not be afraid that this service is going to be crippled if you strike from this bill the retirement feature. Gentlemen were before our committee saying that the foreign service was going to the bowwows unless we raised their salaries and unless we adopted a retirement feature. I said to one of them: "What is the matter with our foreign service? Is it the worst in the world? Have we not capable men?" He replied: "Oh, yes; our personnel is as fine as there is in the world." You see he was not looking for a question from that angle. They will admit that the United States has as competent and capable a foreign service as any nation, and in the next breath they will tell you that unless we raise these salaries and adopt this retirement feature, the service is going to vanish from the face of the earth.

I would not object to a reasonable increase in the salaries of these officers and I do not object to the reclassification of the consular and diplomatic secretaries into nine classes, but I would limit the percentage of those who could occupy the higher positions, and I would wipe out the provisions about the foreign service being unified into one service, when, as a matter of fact, some officers will have to have three commissions and have to be confirmed by the Senate three times, if interchangeability, so that they may change from one side of the docket to the other, is provided as defined in this bill. For these reasons I am going to vote against this bill unless it is materially modified or amended.

Mr. PORTER. Mr. Chairman, I yield half a minute to the gentleman from California [Mr. LINEBERGER].

Mr. LINEBERGER. Mr. Chairman, I am heartily in favor of this bill and expect to vote for it or be paired in favor of it in case I am not here. I consider that it fulfills a great requirement; in fact, a necessity, if we ever expect to build up the foreign service of this country.

I ask unanimous consent to extend my remarks in the Record by inserting therein certain correspondence and documents affecting our foreign affairs in 8-point type.

The CHAIRMAN. The gentleman from California asks unanimous consent to extend his remarks in the Record by including therein certain letters to be printed in 8-point type. Is there objection?

There was no objection.

The correspondence referred to is as follows:

LONG BEACH, CALIF., January 31, 1923.

EDITOR OF THE TELEGRAM,

Long Beach, Calif.

DEAR SIR: Why do the citizens of this country keep so quiet about the French occupation of German territory?

I freely admit that it is not the place of the Government to voice the country's sentiment at this time, as for reasons well known. Our Government's inaction, however, does not signify that the people of America can not express their attitude during this trying time of France.

What is this measure France has undertaken?

Is France unjust in her requirements of Germany?

Should not this country stand as a unit back of France?

Are we afraid to speak?

Should we unfold our arms to a bandit that utilized every known method of science to deceive, in shrewd and cunning ways, to trample on, bleed, and destroy our very existence, who has not even said "I am sorry for what I have done"?

Why, then, should we give the blood of America's youth to batter down one of the arch criminals of nations in one breath and then, without repentance of any sort from that bandit or arch criminal nation, cast aside friends that have risked all and their sons died on the field of battle for us?

A bandit should have his punishment meted out to him in a lawful manner, and when once that sentence is given it should be carried out to its fullest degree.

The Germans started the war. The Germans disregarded all the treaties and agreements of other nations and started on their mad maniac rush to crush Belgium and France. The lives of Belgian and French peaceful citizens were mere pawns in their crazed onslaught.

The Germans devastated every piece of territory they could on Belgian or French soil.

When they saw they were whipped they came out like a beaten cur dog, with its tail between its legs, and asked "us" to stop the fight. We like fools did stop it before we got even one word of repentance from Germany.

What did we get for stopping the war? This is what we got: "A piece of paper from the German people guaranteeing certain indemnities to help restore France and Belgium for the fiendish acts of their own soldiers." This, by the way, was given not to fulfill but "just as a scrap of paper," as is the popular German phrase of to-day.

Had Germany fulfilled her promise or even acted in good faith on the matter, I will say France would not be on German soil to-day.

France and Belgium were burglarized, and Germany has the plunder or can help to make it good.

Germany's deceitful and cunning tactics are at work trying to win the United States' heart in their support.

Down with all of that cunning, and let the American citizens come out for the full and unaltered support of France and Belgium against a willful and dangerous neighbor.

I have not lost sight of the fact that there are many citizens of Germany that did all in their power to avoid the terrible war and that to-day are doing all in their power to have Germany live up to its word. These people, however, are in the minority and powerless to act.

France did not make this move for conquest. If she did, I would not be writing this letter, as I would not be a party to any such act.

France knows better than anyone else how to treat the situation and knows how and the only way to get results from a nation that has lost all honor of word and treaty except at the point of the sword.

How I have lauded France in her determination to get justice against Great Britain, which was weak-kneed; against, it seemed, with few loyal exceptions, all other nations, that were either afraid to speak or that had forgotten overnight that France buried millions of her sons and lost great expanses of

their beloved land through devastation to save the very land they called theirs and to save the standards of society for their own nation.

I am not alone in this interpretation of the situation.

The land is full of smoldering sentiment; and, scheme as the Germans may, the pot is going to boil over, and then and soon will come the true moral and, if necessary, financial support from the American people to the French and Belgians.

I dread war, and yet I believe that to check a disease it is a good plan to either entirely eliminate its cause or else shut off its wind.

Senator REED's frank and heated speech on this subject in the Senate a few days ago was one of the best treats to the American people in some time.

France is to be admired in the way she is using her power of arms on the German people. May she continue to be patient and just, as she has been; but if it is metal that Germany must have to bring her to justice, may France and Belgium have the power of God to lead them on.

Tell, please, dear editor, through your great voice *The Telegram*, how at least one citizen of America is back of my friends, your friends, and our friends, France and Belgium, that they may have courage to bring about justice that is due not only them but the whole world.

Above all, let us express ourselves now that Germany's apparent woeful tales are fully understood in this country, and that Germany's disease is "no honor," and that the "cure" she is trying to administer through propaganda against France has proven on some patients somewhat easing at times, but the patients have generally changed doctors in time to prevent death.

A bandit?

A proven friend?

Which for the American people?

Very truly yours,

GEO. S. WILSON,

728 Cedar, Long Beach, Calif.

Mr. LINTHICUM. Mr. Chairman, I yield 10 minutes to the gentleman from Texas [Mr. BLANTON].

Mr. BLANTON. Mr. Chairman, we are operating now under strange conditions. This morning, without even the majority leaders knowing what was coming up—because I asked several members of the steering committee, and they could not tell me—our friend from Kansas [Mr. CAMPBELL], chairman of the Committee on Rules, pulled out of his hip pocket a rule that made this bill in order. Under ordinary conditions there should have been at least 20 minutes of debate on a side to explain what the rule meant and what would be the result of its adoption. Yet no explanation of the bill was given to the House, and it was a long time after the rule was adopted and general debate began before we got even a partial explanation of the contents of this bill. The author of the bill—and I might say that it is one of his pet measures, which he has been fathering here for quite a while—when I asked him how much it was going to cost, said that it would increase present expenses about \$325,000 in salaries, and then later, when I asked my colleague from Texas [Mr. CONNALLY], who is also on the committee, the same question, he tells us that in salaries alone it is going to cost \$528,000 a year more than the present law, and in addition to that it is going to cost \$500,000 more for retirement features. Therefore, how can we safely follow the gentleman from Massachusetts? How can the gentleman from Massachusetts expect the ordinary Congressman, such as I am, to follow him and vote for the bill?

Mr. HUSTED. Mr. Chairman, will the gentleman yield?

Mr. BLANTON. No; I have not the time.

Mr. HUSTED. Just for one brief question. I want to refer to something the gentleman said awhile ago.

Mr. BLANTON. If the gentleman will get me more time I should be very glad to yield for 40 questions.

Mr. HUSTED. It will take only a very short time.

Mr. BLANTON. I regret that I can not yield; my time is limited. I do not fail to yield when I have plenty of time. If the gentleman will procure me extra time, I shall be very glad to yield.

We ordinary Members of Congress know that there has been pending before the Navy Department here for several years the question of seniority in social functions, of whether a rear admiral of the second class in going in to dinner outranks a brigadier general; and just within the last few days a decision has been handed down that it all depends upon which one got his commission first. In the great United States, exclusive of the great Commonwealth of Massachusetts, theoretically all men are presumed to be born free and equal; that is the presumption.

Now, the gentleman from Massachusetts has brought in a bill here which makes nine different ranks for these social dip-

lomats we have in the foreign service—nine different ranks illustrated by nine rungs on a ladder. Some men in our Diplomatic Service will have to stop and wait for nine different rungs of the social ladder to be formed before they can go in to dinner.

Mr. ROGERS. Would the gentleman abolish the distinction between a general and a private?

Mr. BLANTON. At social functions in peace time, yes. In America there ought not to be any distinction of rank in peace times at social functions. There ought not to be any such distinction. An American citizen is an American citizen. In war time it is, of course, different. But the humblest citizens in Massachusetts or Texas ought to have the same standing as Americans in this country or abroad, as the most prominent citizens of the United States have where they are the same color and of equal respectability. The people down in Texas feel that way, but the people in Massachusetts do not. They want these nine different rungs of the social ladder, these nine different rungs of social distinction in peace times; and I think we ought not to adopt such a policy. I think it is the biggest foolishness on earth for us to pass this bill. We talk about economy. Any man who votes for this bill ought never again to be allowed to preach economy in government. Why, our expenses are climbing up all the time—each day they are climbing up and getting larger and larger—and yet we are responsible when we continue to vote for bill after bill like this which in salaries alone raises the cost to the people who pay the taxes \$528,000 a year in increased salaries alone, and in its retirement feature about \$500,000 more. I am not going to vote for it, and I want to serve notice on the distinguished gentleman from Massachusetts right now that when we reach the five-minute rule I am going to require him to keep a quorum here every moment of the time until he passes this bill.

You can not pass it with a little handful of Members such as we have in this House to-day. I have not made the point of no quorum at this session for a filibuster, not one. I have sat here patiently—the only times I have made a point of no quorum was to get a record vote on a bill, but I am going to do it on this bill. I am going to require you to keep a quorum here, and if the Chairman gives us a good, honest count you are going to have 100 men here all during the reading of this bill.

The CHAIRMAN. The Chair will say to the gentleman from Texas that he will give an honest count.

Mr. BLANTON. I was sure of it.

Mr. CHINDBLOM. Will the gentleman yield?

The CHAIRMAN. And the Chair resents the insinuation just cast upon him.

Mr. CHINDBLOM. Will the gentleman yield?

Mr. BLANTON. I will.

Mr. CHINDBLOM. Did the gentleman think it was necessary to get this assurance?

Mr. BLANTON. Well, I have heard it said, and it may have also happened before I came here, but I have heard it said that sometimes expediency and expediency may cause a quorum to be counted when possibly the employees of the House had to be added to make 100. Expediency and expediency—

Mr. CHINDBLOM. Will the gentleman yield again?

Mr. BLANTON. Expediency to proceed with business. When we look around and see about 40 to 60 Members sometimes I have heard it said that there would be a count of 100. That is the reason I mentioned the fact that I was sure the occupant of the Chair was going to give us a good count. I am sure the gentleman from Illinois is not willing on one proposition alone, in this day of retrenchment, to increase the expenses of this Government over \$800,000 a year. I am sure he is not willing to do that.

Mr. CHINDBLOM. I arose to express my disapproval of the gentleman's suggestion that the present occupant of the Chair at any time, or any other occupant at any time, would conduct himself in such a way as to warrant the aspersion of the gentleman from Texas.

Mr. BLANTON. Why, I think more highly of the present occupant of the Chair than the gentleman from Illinois does and all other chairmen, although I do not agree with the present occupant sometimes. I like him as much as anybody here does, but I have seen expediency cause even the expert parliamentarian, the gentleman from Connecticut [Mr. TILSON], when Chairman, to overlook the fact that some sitting back here might not be Members, might be the amiable Sergeant at Arms, or the Clerk or Doorkeeper, or some other distinguished-looking gentleman like our friend from Kansas—Assistant Sergeant at Arms—over here, who sits here to make a quorum sometimes. [Laughter.] That is the only reason I mentioned it. But this bill ought not to pass, and I think if we can get the membership here so they will understand it, it will not pass.

The CHAIRMAN. The time of the gentleman has expired.
Mr. LINTHICUM. Mr. Chairman, I yield 15 minutes to the gentleman from Georgia [Mr. LARSEN].

Mr. LARSEN of Georgia. Mr. Chairman and gentlemen of the committee, for several months past there has been a great deal of dissatisfaction regarding conditions existing in the Veterans' Bureau. On March 17 of last year I called attention to the matter in House Resolution No. 306, which I introduced at that time. The provisions of the resolution were such that I believe if action of the House could have been obtained at that time much of the criticism now being made of the Veterans' Bureau throughout the country, and much of the extravagance which undoubtedly exists, if newspaper reports are to be credited, would have been avoided. The resolution directs the appointment of an investigating committee and in part is as follows:

That said committee be, and is hereby, instructed and directed to inquire into the conditions and operations of the Veterans' Bureau in the management and control of claims for compensation, allotments, insurance, vocational training, and all other matters over which said bureau has jurisdiction, to determine whether or not said bureau is efficient and economical in the management of its affairs.

Said committee is especially directed to investigate the management, control, and operation of the several regional offices of the Veterans' Bureau authorized under the act of August 9, 1921, with view of determining whether the creation of said regional offices has resulted in efficiency, economy, and expedition in the management of claims submitted to it for adjudication, and generally to investigate and report on all things affecting the welfare, management, and results obtained by operation of the said bureau at its central and regional offices and suboffices.

The press dispatches of to-day are to the effect that Director Forbes has decided to resign. At least the indications are that his successor is about to be appointed. If he has at last obtained his own consent to retire from the bureau, it may now be considered as unanimous, for I am sure no one will object.

One of the press dispatches is as follows:

PREDICT DRASTIC CHANGES IN UNITED STATES VETERANS' BUREAU—SHAKE-UP IN PERSONNEL AND METHODS OF OPERATION DUE, SAY WELL-INFORMED OFFICIALS—LEGAL DIVISION IS CENTER OF STORM—BELIEVE FORBES, NOW IN EUROPE, WILL NOT RETURN AS DIRECTOR OF ORGANIZATION.

[By the Associated Press.]

WASHINGTON, February 1.—The administration of the Veterans' Bureau, for months a subject of bitter controversy, is undergoing an investigation which is expected by some well-informed officials here to result in important readjustments.

How far the proposed changes will go in the direction of a complete overthrow of bureau personnel and methods of operation remains to be determined by President Harding, but it would cause no surprise among his closest advisers if shifts recently made among bureau officials were followed by others more far-reaching.

The inquiry is understood to have been undertaken after many charges of improper administration had reached the White House from the American Legion and other sources and after Members of Congress had about perfected a plan to ask for a public congressional investigation.

The storm center of the controversy appears to be the legal division of the bureau, which has the final say on all contracts for hospital sites and other contracts involved in the Government's program of veteran aid. Charles R. Cramer, who, as general counsel for the bureau, was head of the legal division, retired to-day from office after he had announced that he would leave it to Col. Charles R. Forbes, the bureau director, to say whether his services were any longer considered desirable.

SEE FORBES'S SUGGESTION.

Now, Colonel Forbes himself is en route to Europe for a "rest" and administration of the bureau is in other hands. Some of the colonel's friends do not expect him to return to his desk, although administration officials insist that he is in no sense under "suspension." They are unwilling to predict whether he will be asked to step out or will voluntarily give up his directorship.

In any case, the question of selecting a new director is receiving serious consideration, and it is predicted generally that Col. Thomas W. Miller, now Alien Property Custodian, will be first choice for the place. Colonel Miller, however, is believed to prefer to stay at his present post, and it is said that the selection may fall ultimately on Frank D'Olier, who was the first national commander of the American Legion.

Officials will not talk about the facts already turned up by the present inquiry. William J. Burns, chief of the Justice Department's Investigation Bureau, declined to-day to discuss the case or to confirm reports that his agents had been at work on it. Officials of the Veterans' Bureau itself professed ignorance of whether any part had been taken in the inquiry by anyone connected with the Department of Justice.

HANDLE LARGE SUMS.

The legal division of the Veterans' Bureau is called on daily to pass judgment on expenditures that run into enormous totals. During the present fiscal year the money involved in contracts which pass through the hands of the general counsel and his subordinates has amounted to \$400,000,000. These expenditures are made from a "lump-sum" appropriation of Congress, and it has been pointed out that it would be surprising if in the handling of so large an amount some part of the appropriation was not diverted for purposes other than those Congress had in mind in authorizing the expenditure.

Another phase, that of the employment of civilians, is understood to be receiving the attention of the President's advisers. Thousands of claims of disabled veterans and others entitled to aid are passed upon by the legal staff, and not the least of the complaints of critics of the bureau have been aimed at what has been termed lack of sympathy within the legal department with the problems and needs of the veterans.

Bureau officials contend that the legal division employs 14 civilians to 17 World War veterans. If the former were all discharged and inexperienced former service men replaced them it would materially retard the work of granting proper claims, these officials assert.

It is a pity that so great an organization as the Veterans' Bureau should be so inefficient and should bring down, not only upon the administration but upon the country at large, such slanderous conditions as are indicated by the press. Let me call your attention to another article which appeared in one of the local papers, the Herald, I believe, under date of February 2. It reads as follows:

BURNS PROBES VETS' BUREAU EXPENDITURES—DRASTIC ACTION BY PRESIDENT MAY RESULT IF CHARGES OF ABUSE ARE PROVEN TO BE TRUE.

Investigations being made by the Department of Justice of expenditures for sites, rentals, and hospitals by the United States Veterans' Bureau probably will precipitate drastic action by President Harding, it became known yesterday.

SERIOUS CHARGES POSSIBLE.

The President has information concerning these outlays of Government funds made under the direction of certain bureau officials which, if proven, may result in serious charges being preferred.

Vast expenditures for rentals of buildings housing veterans' training schools, excessive purchase prices for hospital sites, and waste in connection with the use of hospital buildings after the projects had been completed are included in the matters under investigation by Director William J. Burns, of the Bureau of Investigation, and which have been placed before Mr. Harding.

Investigations so far do not connect the name of Director Charles R. Forbes with any of the irregularities.

PROJECTS UNDER PROBE.

While reports have been current in official circles for two weeks that a general clean-up of the Veterans' Bureau was to be expected, this is the first time that definite projects under investigation by the Department of Justice have been pointed out.

The following projects are said to be under investigation:

LIST OF RENTALS.

Rentals of \$60,000 per year paid for a training school at Stockton, Calif., in which, it is said, there were no trainees registered October 1. Rentals of \$12,000 per year paid for a training school at Richmond, Va., where 11 trainees are receiving instruction.

Think, gentlemen, of such extravagance as that, an expenditure of \$60,000 a year, \$5,000 per month, for rental of quarters in which not a single trainee is to be found; and of \$12,000 a year paid for training quarters at Richmond, Va., where only 11 trainees are receiving instruction. But I read further:

Rentals of \$152,000 per year at Nauvoo, Ill., where 176 veterans were receiving training on October 1.

A hospital site at Livermore, Calif., where a 400-bed hospital is authorized under the Langley bill at an expenditure of \$1,302,720.

Excessive rentals paid for a training school at Goshen, N. Y. Hospital sites at Aspinwall, Pa.; Tupper Lake, Pa.; and Northampton, Mass.

Sale of supplies stored at Perryville, Md.

May I explain some things that I understand to exist regarding sales made at Perryville, Md., and which heretofore have not been brought out by the press? There was turned over to the Veterans' Bureau for distribution, it is said, in round numbers, about \$3,000,000 worth of war material. It consisted of sheets, blankets, crockery, cutlery, and other articles, which were thought might be used by the Veterans' Bureau at hospitals, and so forth. It is said that Director Forbes concluded to dispose of it; that he went to one of the executive officers of the bureau and told him what his plans were, saying, in substance, "We will call a meeting of the executive officers, and you make a motion to sell the property." The meeting was called. The proceedings went off as per schedule previously prepared. A sale was had; but thereafter suspicion arose and General Sawyer went out to Perryville to see about conditions.

Here is what I understand he found the situation to be: The would-be purchaser of the goods was busily engaged in loading them on heavy trucks. In throwing a bundle it was burst. General Sawyer examined it and it developed that it was sheets of a high class, in every way suitable for use in the hospitals under operation by the Veterans' Bureau. The general made inquiries as to what they were sold for. He was told that they had been sold at 20 cents apiece. He, being an expert in such line, said, "They were worth \$2 apiece." There were also blankets sold for \$1 apiece, and which, as I am informed, were afterwards sold in Boston at wholesale for \$4 apiece. General Sawyer returned to Washington, as the report goes, and brought the matter to the attention of the President. Upon investigation it developed that the sale was illegal, in that rules and regulations require that at least three bids should be submitted. In this case only one was submitted. So the sale was canceled and the party was not permitted to remove the goods.

What a pity that the transaction did not end there; but, as the report goes, another sale was ordered. Other bids were called for. Three bids were made, as the rules and regulations

provide. Sale was had, and after it had been confirmed and the Government's property had been disposed of, a party who suspected the good faith of the transaction got into communication with one of the parties who submitted a bid. He told him that he understood the sale had not been had in good faith, and that if this were true some one would suffer, but that the person who told the truth about the matter would not be greatly punished, if at all.

The party is said to have admitted that he was one of the three who submitted bids; that he did not submit the bid in good faith; that he submitted it in order to make up the required number of three bidders; and that he received crockery ware worth about \$75,000 or \$100,000 for making the bid, although he did not purchase the goods. I understand that the person who first tried to purchase under the one-bid proposition was the successful bidder at the second sale, and obtained the goods from the Government.

I desire to be perfectly fair to the membership of the House and to the others concerned. Therefore I have endeavored to see if this statement could be substantiated. I have called upon the Veterans' Bureau two or three times for information, and as late as yesterday I was promised that I would be given it by 12 o'clock to-day. This morning, when I called again, some one—Mr. Brown, I believe it was; at any rate, an employee in the Veterans' Bureau—told me that the acting director had requested that all the papers pertaining to the transaction and the sale at Perryville, Md., be taken to his office in order that he might look into the matter, and that he wanted him or some other official at his office to go into the details of the transaction with him. Now, gentlemen, I have given you the information as I have it regarding that sale. I do not know what the facts are, but these reports are current and the truth should be known.

Mr. McSWAIN. Will the gentleman yield?

Mr. LARSEN of Georgia. I yield to the gentleman from South Carolina.

Mr. McSWAIN. Has the gentleman investigated the law to see whether or not, if the facts are true as he is informed, these two false bidders who merely pretended they were bidding for the purpose of joining in the conspiracy to defraud the Government have committed an indictable offense?

Mr. LARSEN of Georgia. I have made no special investigation, but I should say from my general knowledge of the law that all three of them were guilty of conspiracy.

Mr. McSWAIN. They would be indictable in my State under the common law.

Mr. LARSEN of Georgia. Yes.

Mr. McSWAIN. Is there any Federal statute that would reach them?

Mr. LARSEN of Georgia. I do not know. I have not made any special investigation as to that. If there is no such law there ought to be one.

Mr. McSWAIN. I will say that I will join my friend in swearing out a warrant for them if there is any such Federal statute.

Mr. LARSEN of Georgia. I am sure the gentleman from Georgia will go as far as the gentleman from South Carolina, and I believe we will go as far as the circumstances require.

Mr. McSWAIN. Good.

Mr. LARSEN of Georgia. But, gentlemen, here is a difficulty. In the resolution for investigation, which I offered last March, I tried to point out to the membership of the House the things that were occurring not only at the central office but at many of the regional and subregional offices. I am afraid it is too late to investigate now when the transactions appear to have been completed. We might at that time, by proper action, have at least saved the saddle, but I fear the horse and saddle are both gone now. It may be too late to lock the barn door.

Mr. JEFFERS of Alabama. Will the gentleman yield?

Mr. LARSEN of Georgia. I yield to the gentleman from Alabama.

Mr. JEFFERS of Alabama. The gentleman did not quite finish on the point of getting that information from the office of the acting director this morning. Did the gentleman ever get that information this morning?

Mr. LARSEN of Georgia. I was finally told by the gentleman to whom I was talking that I might call on the acting director for it. I said to him, "Well, if the acting director does not know what the situation is and is simply calling on you or other parties to bring information to him, I assume I would hardly be able to get it at this time"; and he said, "I think probably you are correct," or words to that effect.

Mr. JEFFERS of Alabama. So far as my colleague knows, all the data are in the hands of the acting director, who is supposed to be going over the matter now?

Mr. LARSEN of Georgia. So far as I know and believe, the acting director has the matter under consideration. I certainly trust he has.

Mr. JEFFERS of Alabama. But the gentleman never did get the information, according to the promise he got from them?

Mr. LARSEN of Georgia. I have never been able to obtain it yet, and as I could not obtain time to speak to-morrow I thought I ought to bring the information I have to the attention of the House to-day.

There are several other cases that perhaps are just as bad as this. There is a case said to be bad at Camp Kearney, Calif., and which needs investigation. I understand it has to do with the resignation of Mr. Cramer. I hope the House will bear with me while I state the facts with regard to the matter as I understand them. At Camp Kearney, Calif., the Government has been renting at a nominal sum of \$1 per year certain quarters—trainee's quarters, hospital facilities, or something of that kind; I am not quite sure which.

The CHAIRMAN. The time of the gentleman has expired.

Mr. LARSEN of Georgia. Will the gentleman from Maryland give me time to finish?

Mr. LINTHICUM. How much time does the gentleman desire?

Mr. LARSEN of Georgia. About five minutes.

Mr. LINTHICUM. I yield to the gentleman five minutes additional.

Mr. LARSEN of Georgia. It is said that certain parties interested in Camp Kearney property recently came to Washington and submitted a proposition to Mr. Cramer, who was at that time the head of the legal department of the Veterans' Bureau. They are said to have submitted a proposition which was accepted by the Government, and whereby the rent for Camp Kearney property was increased from \$1 a year to \$35,000 a year, with the option that after one year the rent should be increased to either \$90,000 or \$99,000 per year. That within itself perhaps is not a matter that would excite such great suspicion, if it were not followed, as the report goes, by another circumstance that seems very unusual. It is said that when this \$35,000 contract and this option contract had been signed up, Mr. Cramer went down to the proper division where the checks or vouchers are issued and demanded that a check for \$35,000 be issued that day to the parties to the contract. The officer in the Veterans' Bureau, I am told, refused to issue the check, and told him that under the rules and regulations of the department it would take several days to get such a matter through. It is said that finally a threat was made by Mr. Cramer to the effect that if the check was not issued that day somebody would lose his job, whereupon the underlying official obeyed orders and issued the check. It is also said that Mr. Cramer and the parties from California left that night on a trip to New York City and were there for several days.

Not only that, but I have been told that when the check came to the Comptroller General some two weeks ago he refused to approve its payment. I have endeavored to obtain more definite information on this matter but as yet have been unable to do so. I do not know whether the reports are correct or not, but I know they sound mighty bad. I know the people of the country do not know the facts. The taxpayers of the Nation are entitled to know. I think a bureau that employs approximately 30,000 people and spends more than \$425,000,000 of the people's money per annum is an institution of sufficient importance that the Congress ought to take notice of what it is doing and so far as possible correct every evil connected with its administration.

Here may I be permitted to make a suggestion? It has been currently reported that there is an effort on foot to appoint a Veterans' Bureau committee. I want to give it my indorsement. I think it would be a good idea. There is pending before the House something like 200 bills affecting directly and indirectly the Veterans' Bureau. When they affect the Veterans' Bureau they affect every home and almost every individual in America. It is primarily for the benefit of the splendid boys who gave their services to the country in its hour of need. I think it would be the best thing for the House and for the country if we were to create a standing committee of the House to dispose of such matters. [Applause.]

[Mr. LARSEN of Georgia had leave to revise and extend his remarks.]

Mr. PORTER. Mr. Chairman, I yield to the gentleman from New Jersey [Mr. ACKERMAN].

Mr. ACKERMAN. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD on the general subject of tariff legislation.

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The extension of remarks referred to is here printed in full as follows:

Mr. ACKERMAN. Mr. Speaker and members of the committee, I appreciate your graciousness in permitting me to present some observations concerning the operations of the Fordney-McCumber tariff. Having in mind the fact that there are numerous persons who can not grasp its full intent because of the fact that "politics" has hitherto been so associated with its consideration and the stress of campaigns has prevented an impartial consideration thereof, I venture at this time to present some concrete facts relative to the subject. If the line of the division between the two great parties is that of a protective "tariff" and a "tariff for revenue only," it seems to me that the only way for either of the great parties to secure the reins of government is by a candid presentation of what are the facts and not attempt to obtain office by distortion thereof or by innuendo or otherwise.

In attempting to present this matter in a clear and understandable manner permit me to use an argument advanced by a "free-trade" advocate.

At the other end of the Capitol one of the distinguished gentlemen who comes from a State that believes in a free-trade policy and a "tariff for revenue only" said recently that the operations of the Fordney-McCumber tariff would take "three billions out of the pockets" of the American people, meaning, I suppose, "unnecessarily and uselessly" so, thereby putting burdens which should not be inflicted upon the people. To the ordinary mind that is a large figure, but how can his statement be reconciled in the light of the clear facts when the amount of the money collected by the tariff law at the present time will not amount at the best to more than \$550,000,000 annually?

We note, however, that he does not say in what period of time this colossal sum is to be paid. If the amount of tariff collected averaged \$500,000,000 per year, it would have six years before the sum of \$3,000,000,000 would be reached, even if every cent were a tax upon the people. But no, he meant immediately; practically upon the signing of the bill, and that industry would be prostrated.

If manufacturers saw that prices were to rise to such heights as to exact that sum from the consuming public, would they not immediately increase the output of their factories in a wild scramble to get a part of these high profits, and thus by competition produce such a surplus of goods that the saturation point would be speedily reached? What other conclusion can be possible?

What constitutes the complaint at the present time is that the farmer is suffering because he can not get a more profitable price for his products. This in turn presupposes the fact that if there were factories employing more men there would be a greater demand for home consumption of what the farmer produces. Consequently, the farmer would be benefited and the purchasing power of his dollar would be greater, because of the competition among the producers of what the farmer desires in order to gratify his wants or satisfy his needs.

The farmer's trouble at present is that his products are adversely affected by world markets. About 85 per cent of farm products is consumed at home; the balance abroad. It is the 15 per cent exported that fixes the price. Is this not a fair illustration? The price of wheat in London, less freight, is also the price of wheat in New York. Therefore the more we encourage a larger consuming home market by active industrial conditions the more we benefit the farmer. Especially is this so at this time, when the ability of foreign markets to absorb and pay for these products may be seriously in question.

According to a Treasury Department statement as of January 1, 1923, there were in the continental United States, exclusive of our island possessions, 110,560,000 people, an increase over the previous month of 140,000 individuals. This is about the rate at which the population of the United States is growing at the present time. In a year the population increases approximately 1,680,000 persons.

If we divide the total amount of revenue received by the Treasury Department through the customhouses of this country of, let us say, \$550,000,000 per year, by 110,000,000 people, we will have \$5 per individual as a year's contribution to this amount. This is slightly over 1 cent per day, but certainly less than 10 cents per week. Who will declare that this is too much to pay to protect our home market and endeavor to preserve the high economic level of this country as compared with the economic level elsewhere?

It will be of value for purposes of comparison to mention in this connection the per capita rate of \$18 per year, or about 34 cents per week per individual in Canada; £3 19s. in Australia, which is about the same per individual as in Canada; and £2 18s. per year per individual, or 26 cents per week per

person in Great Britain, the so-called par excellence free-trade country.

"Less than a dime a week" is the highest possible tax that under these hypothetical conditions could be extracted from each inhabitant in the United States, predicated, of course, upon the assumption of the opponents of protection that the entire burden of the receipts at the customhouses are borne by the people. In reality everyone knows that this is not the case. For the purpose of argument let us assume that only a portion of the \$550,000,000 to be collected, say \$200,000,000, the increase over what was being collected before the Fordney-McCumber law became operative, is the amount of toll which is extracted from the patient consuming public. Considering it on a family basis, a hasty figuring will show 22,000,000 families in this country on a basis of five to each family.

For the purposes of quick calculation let us consider that there are 25,000,000 of families, and this number being used as a divisor for the \$200,000,000 of excess toll obtained would make it \$8 per family, or 16 cents per family per week. In the last analysis it comes down to a hypothetical expense of less than 16 cents per family per week if—and the "if" is made large—this additional sum should be taken from the people.

Conceding the premises, where is the fallacy in this argument or in its conclusion?

It is estimated by a competent authority that at least \$100,000,000 are collected annually from members of labor unions, and perhaps as much more by those who hold memberships in fraternal or other orders. That sum, if it were divided by the families in the United States, would equal the so-called tariff charge. Where is the individual who would not willingly pay such a tax or who is so poor that he could not afford so to do if by such payment adequate and continuous employment at generous or highly remunerative wages might be had for the asking? Such a condition now exists in our country; all surplus labor of a year ago is employed. The smoke of industry clouds the horizon.

Who desires the atmosphere clarified by the adoption of measures calculated to silence the hum of industry by flooding the market with competitive foreign goods? Certainly such will not be the case under Republican tariff policies. Who ever heard of a protective tariff putting up the shutters on a factory or putting people out of work? Who will be good enough to give an instance of such an occurrence?

Let us review the past and see whether or not the country has financially prospered since the celebration of the country's centennial, so graphically portrayed at the Philadelphia Exposition. The census of 1870 is as near as we can get to that historic date:

When the population was 38,000,000 in 1870 the wealth was \$24,000,000,000, or \$630 per individual.

When the population was 50,000,000 in 1880 the wealth was \$43,000,000,000, or \$860 per individual.

When the population was 62,000,000 in 1890 the wealth was \$65,000,000,000, or \$1,050 per individual.

When the population was 76,000,000 in 1900 the wealth was \$88,000,000,000, or \$1,160 per individual.

When the population was 81,000,000 in 1904 the wealth was \$107,000,000,000, or \$1,320 per individual.

When the population was 95,000,000 in 1912 the wealth was \$187,000,000,000, or \$1,990 per individual.

The figures for 1922 are not available as yet, but if the same rate of progress is conceded during the 10 years from 1912 our national wealth can not be far from \$400,000,000,000. This amount is 20 per cent less than the supposed inflation value was in 1920. In arriving at this conclusion inflation and deflation were taken into account, as was also the fact that our national income in 1912 was \$33,000,000,000.

If the average profit of industry in general is only 12½ per cent instead of a higher figure, and the income for 1922 is \$60,000,000,000, as economists assert it was, we will not be far afield in estimating the national wealth as very close to \$500,000,000,000, and that is what, I believe, the census figures will show when they are finally compiled.

In the publication entitled "The Things that Are Caesar's" the wealth of the world from the beginning of time down to 1780, as a surplus of production over consumption in all the thousands of years since time began, is given as approximately only \$100,000,000,000.

The wealth of the world to-day is probably one thousand billions of dollars. What is true about some countries having fared badly and others worse, in order to fairly estimate their value to get this grand total, is not in any sense applicable to the United States. Our progress, though temporarily arrested at times, has been fundamentally sound and consistently progressive and enduring.

The reason for this economic advancement was the form of tariff policy in effect. For more than 70 years with few exceptions a protective tariff was in force. Under its beneficial provisions American labor, industry, and commerce enjoyed unrivaled conditions. As a result our citizenship is of a higher standard because of the opportunities our public institutions were able to offer. What has benefited our people socially has in no lesser degree benefited them economically. This is abundantly apparent in the following statement made a few days ago by the American Bankers' Association.

SAVINGS DEPOSITS IN 1922 INCREASE \$1,500,000,000.

CHICAGO, February 2 (by Associated Press).—Savings deposits in the United States increased by about \$1,500,000,000 in 1922 as compared with 1921, according to preliminary figures tabulated by the savings-bank division of the American Bankers' Association and announced here through district headquarters.

The figures show that, compared to reported savings deposits on June 30, 1921, of \$16,818,695,000, the amount for the corresponding date in 1922 was \$18,087,493,000.

The number of savings accounts indicated by the partial data in hand was 28,957,526 on June 30, 1922, as compared to 26,637,831 on the corresponding date in 1921, a gain of 2,314,695. For both the amount of savings and the number of depositors later data of States from which complete returns have not yet been received are expected to show larger gains for 1922.

According to this report school savings systems reported deposits of \$5,500,000 during the last school year, an increase of 40 per cent over 1921 and 100 per cent over 1920. The number of school systems also increased by over 100 per cent during the last school year and the number of pupils reported as participating was 1,271,000, a growth of 50 per cent over the previous school year.

The data collected by the savings-bank division indicate that life insurance, not including beneficial societies or the Government bureau, now carried on American lives totals more than \$50,000,000,000. Premiums on new business during the year ended November 1, 1922, amounted to \$225,980,000. The total premiums, including the payments on annuities, paid during the year amounted to more than \$1,500,000,000. The amount of new life insurance purchased during the year 1922 was \$9,300,000,000, an increase of \$600,000,000, or 7 per cent, over 1921.

The Fourth Federal Bank of Cleveland, Ohio, offers additional evidence in the following announcement:

CLEVELAND, OHIO, February 2.—Business has discarded most of its hesitating attitude—the familiar 1922 trade-mark—and in its place is a spirit of confidence, according to the monthly business review of the Fourth Federal Bank.

"There are good things in store for us in 1923 if we know how to work and look for them," the review states. Aside from the foreign situation, it adds, there is little in the conditions outside of business that will prevent the continuance of good business; should a check develop, it will be due to conditions developed within itself.

In many ways this will be a critical year, the review predicts, a year where effective management, sales effort, better salesmen, more intensive training, and harder and more conscientious work will be necessary.

Many are asking: "Is business going to continue upward during 1923?" the review says, and answers that no one is fully capable of answering, because there are too many unsolved problems.

During the present year business will be good or bad, as we choose to make it, according to the review.

Conditions which might be cited as favorable to continued prosperity, the review states, can be listed as:

- Employment almost universal throughout the country;
 - Industry running at capacity, or nearly so;
 - Money and credit plentiful;
 - Commodity prices firming;
 - Order books filling;
 - Purchasing power of the farmer increasing;
 - Railroads believed to be large buyers of materials as year advances;
 - Large building programs;
 - Retail sales increasing.
- Conditions that might be listed as less favorable are:
- Export situation doubtful;
 - Transportation improving, but only slightly;
 - Fuel situation unsettled;
 - Labor becoming scarce.

The Federal Reserve Board dispels any doubt that may be felt as to the conditions and business outlook in the agricultural implement industry in the following announcement:

[From the Washington Star.]

FARM IMPLEMENTS IN GREAT DEMAND—SALES DOUBLE THOSE OF YEAR AGO—FARMERS IN MUCH BETTER CONDITION.

The Federal Reserve Board last night announced that reports from its country-wide sources indicated evidences of recovery in the agricultural industry from the months of depression, as sales of farm implements in December and January revealed a restoration of the buying powers of the farmers. December sales, according to the reports, were more than double those of December, 1921, and the increases were sustained in January.

The automobile industry may be judged—at least, on one class of cars—by the following announcement:

[Special dispatch to the Star.]

FORD PLANT HAS 25,000 UNFILLED ORDERS FOR CARS.

DETROIT, MICH., February 2.—One of the best indications of to-day's status of the motor industry is the fact that the Ford Co. went into February with more than 25,000 unfilled orders. Ford dealers have requisitions for 148,000 cars and trucks for February delivery, but the production schedule is being held down to 123,000 because of general conditions affecting manufacture.

The supply of labor available at automobile plants has not been so large as manufacturers could have wished, but production has not been notably held back on this account.

Turning to our export trade we find a thriving condition keeping step with domestic activities.

Director Klein, of the Bureau of Foreign and Domestic Commerce, described it in his annual report, on which the following is a news dispatch to the New York Journal of Commerce:

GROWING INTEREST IN EXPORT TRADE—COMMERCE BUREAU ASKS FOR LARGE FORCE—IN ANNUAL REPORT DIRECTOR KLEIN SAYS TRADE INQUIRIES HAVE INCREASED 400 PER CENT IN YEAR—DESCRIBES EXPANSION OF FACILITIES.

[Bureau of The Journal of Commerce.]

WASHINGTON, Dec. 18.—The increased desire of American firms to enter foreign markets with their wares is reflected by a 400 per cent gain in foreign trade inquiries directed to the Department of Commerce this year, as compared with last, Director Julius Klein, of the Bureau of Foreign and Domestic Commerce, declares in his annual report.

Describing the fiscal year 1921-22 as "one of the most crucial periods in the history of the Nation's foreign trade," Director Klein points to the complete reorganization of his bureau under Secretary Hoover's direction as the prime factor enabling it to help American export interests withstand the "inroads of recovering European competition in the world's markets."

Following out the policy of "better service with less meddling," Director Klein says that the Bureau of Foreign and Domestic Commerce now serves business on a commodity basis through 17 new divisions which specialize on America's great export products of the factories and farms. These divisions are headed by sales experts selected by the trades themselves and guided in their work by about 70 committees composed of business men representing over 150,000 manufacturers and merchants in the leading export industries of the country. This arrangement insures a maximum service to each industry at a minimum outlay of time, labor, and money.

Giving instances of the accomplishments of the bureau in its foreign work, Director Klein says: "The largest Italian contract awarded in years, amounting to \$13,000,000, was secured for an American firm through the help of the bureau's office in Rome. The rights of American shippers of goods valued at \$68,000,000 to \$80,000,000, caught in the port congestion in Cuba, were successfully safeguarded through the aid of the bureau's Habana representative. The Vienna office enabled an American concern to obtain an order for \$1,500,000, and the Madrid office saved for American exporters contracts in Spain covering 100,000 tons of wheat."

In concluding his report Director Klein states that if the bureau is to carry on and enlarge its work in the manner dictated by the economic situation of the country, its activities should be extended to cover the study and promotion of domestic commerce. Its foreign service should be strengthened by the establishment of offices in new markets. Experts in commodities not yet specifically provided for, such as tobacco, grain, and many manufactured specialties, should be added to its present staff to meet the increasing demands of the trades. The salaries of many statutory positions should be considerably increased, otherwise the bureau will continue to lose some of its more valuable help.

Further illuminating evidence is furnished in figures compiled in the Department of Commerce and given herewith:

DEPARTMENT OF COMMERCE,
OFFICE OF THE SECRETARY,
Washington, January 23, 1923.

Hon. ERNEST R. ACKERMAN,

House of Representatives, Washington, D. C.

MY DEAR MR. CONGRESSMAN: In response to your request of January 16 I inclose herewith a list giving the comparison of volume of production during the last three years.

Yours faithfully,
(Inclosure.)

HERBERT HOOVER.

Comparison of volume of production during the last three years.

Commodity.	Unit.	1920	1921	1922
Textiles:				
Textile mills—				
Wool consumption..	Thousand pounds.		529,500	¹ 595,758
Cotton consumption..	Bales.....	5,843,200	5,406,775	6,087,065
Production—				
Fine cotton goods....	Pieces.....	4,154,856	4,250,316	¹ 4,193,473
Knit underwear.....	Dozen.....	7,097,400	6,512,400	6,984,900
Silk consumption, raw..	Bales.....	213,960	323,286	367,620
Metals:				
Iron and steel—				
Iron ore movement..	Thousand short tons.	56,780	25,538	42,156
Production—				
Pig iron.....	Thousand long tons.	36,414	16,544	26,880
Steel ingots.....	do.....	40,881	19,235	33,284
Merchant pig iron....	do.....	7,032	2,022	3,234
Locomotives—				
Total shipments.....	Number.....	2,388	1,349	1,274
Structural steel sales..	Long tons.....	1,496,500	997,200	1,929,400
Copper production....	Thousand pounds.	1,209,060	472,028	990,737
Zinc production.....	do.....	959,544	431,186	747,356
Fuel and power:				
Coal and coke production—				
Bituminous coal.....	Thousand short tons.	556,560	415,922	404,505
Anthracite coal.....	do.....	89,100	90,468	52,721
Beehive coke.....	do.....	20,976	5,643	8,039
By-product coke.....	do.....	30,780	19,918	28,497
Crude petroleum.....	Thousand barrels.	442,932	469,644	¹ 501,415
Gasoline.....	Thousands of gallons.	4,882,548	5,153,544	² 5,050,084
Public utility electric power mill.	K. W. hours.....	43,963	40,938	¹ 43,072

¹ Eleven months cumulative.

² On Sault Ste. Marie Canals.

² Twelve months cumulative.

Comparison of volume of production during the last three years—Contd.

Commodity.	Unit.	1920	1921	1922
Paper and printing:				
Wood pulp production—				
Mechanical.....	Short tons.....	1,578,300	1,288,016	1,374,634
Chemical.....	do.....	2,257,872	1,532,928	1,812,603
Newsprint paper.....	do.....	1,511,964	1,226,184	1,328,284
Automobiles:				
Production—				
Passenger cars.....	Number.....	1,883,160	1,534,902	1,218,813
Trucks.....	do.....	322,044	145,080	120,276
Building and construction:				
Contracts awarded—				
Grand total floor space.....	Thousand square feet.....	401,892	387,204	572,944
Grand total value....	Thousands of dollars.....	2,533,224	2,359,776	3,352,919
Lumber:				
Production—				
Southern pine.....	M feet b.m.....	4,296,372	4,505,256	4,828,786
Douglas fir.....	do.....	4,570,200	3,572,844	5,282,887
California redwood.....	do.....	530,916	475,416	528,887
California white pine.....	do.....	700,416	469,320	475,148
Michigan softwood.....	do.....	110,484	79,896	180,491
Michigan hardwood.....	do.....	224,388	151,824	143,856
Western pine.....	do.....	1,613,604	893,244	1,436,287
North Carolina pine.....	do.....	402,168	361,968	629,511
Northern hemlock.....	do.....	327,480	206,208	1261,804
Northern hardwood.....	do.....	410,472	343,896	1287,732
Northern pine lumber.....	do.....	483,276	410,433	534,144
Northern pine laths.....	do.....	114,972	104,027	150,884
Flooring:				
Production—				
Oak flooring.....	do.....	128,940	148,929	274,524
Maple flooring.....	do.....	124,596	100,534	137,020
Brick:				
Production—				
Clay fire brick.....	Thousands.....	728,580	384,348	1504,512
Silica brick.....	do.....	178,848	67,140	119,490
Face brick.....	do.....	541,440	428,172	547,664
Cement:				
Production.....	Thousand barrels.....	100,020	98,203	113,870
Shipments.....	do.....	95,051	116,563	116,563
Leather—Sole production.....	Thousand backs, bends, and sides.....	18,423	17,841	116,033
Chemicals:				
Production—				
Acetate lime.....	Thousand pounds.....	145,800	56,448	1102,436
Wood alcohol.....	Gallons.....	7,625,266	3,500,364	15,705,719
Beef—Inspected slaughter production.....	Thousand pounds.....	4,985,208	4,474,286	4,582,217
Pork—Inspected slaughter production.....	do.....	6,459,432	6,739,368	6,564,288
Mutton—Inspected slaughter production.....	do.....	423,060	493,608	1383,190
Tobacco:				
Production—				
Large cigars.....	Millions.....	7,937	6,798	16,332
Small cigarettes.....	do.....	44,622	50,835	150,020
Manufactured tobacco and snuff.....	Thousand pounds.....	399,888	386,496	1393,872

¹ Eleven months cumulative.

The record would be incomplete without a comprehensive statistical review of business during the last calendar year, which also shows a production record for 11 months with the percentage of increase and decrease fully tabulated:

DEPARTMENT OF COMMERCE,
Washington.

STATISTICAL REVIEW OF BUSINESS IN 1922.

At this time of the year it is customary for business to pause long enough to take account of the progress made during the 12 months just elapsed, and from this standpoint to make some conjectures as to the coming months of the new year. It is with a feeling of satisfaction that most industries can view the progress of the past year in spite of the many difficulties which have been experienced. At the close of 1922 there are no serious obstacles in sight which should hinder further advances during the early part of the new year. The unsettled conditions in foreign countries, particularly in Europe, are still depressing our trade; and, to a certain extent have, no doubt, kept the prices of agricultural products below the level of other commodities. Within the past two months this latter condition has in a measure been relieved.

Production of manufactured commodities in 1922 was about 50 per cent greater than in 1921, according to figures compiled by the Department of Commerce from latest reports to the Bureau of the Census made in connection with the "Survey of current business." Textile mills were about 20 per cent more active than in 1921, the iron and steel industry increased its output from 60 to 70 per cent over 1921; nonferrous metals, from 50 to 95 per cent; petroleum, 15 per cent; coke, 40 per cent; paper, 20 to 30 per cent; rubber, 40 per cent; automobiles, 50 per cent; building construction, 50 per cent; lumber, 35 per cent; brick, 50 per cent; cement, 15 per cent; leather, 20 per cent; sugar, 45 per cent; and meats about 5 per cent. Agricultural receipts were, in general, higher than in 1921. The only declines of outstanding importance were 7 per cent in bituminous coal and 47 per cent in anthracite.

The increase in production and the reduction in immigration improved the labor situation from a large surplus of labor at the end of 1921 to a point where shortages occur, while unemployment has almost been eliminated.

Transportation conditions changed from a huge surplus of idle freight cars to a considerable shortage, while car loadings were 11 per cent greater than in 1921.

Prices to the farmer increased about 17 per cent during the year, wholesale prices advanced 10 per cent, and retail food prices declined

5 per cent. This condition gives the farmer a greater purchasing power and narrows the margin between wholesaler and retailer.

The volume of trade was considerably heavier than in 1921. Sales of mail-order houses increased 6 per cent, and chain stores show a gain of 13 per cent. Debits and bank clearings also show about this same relation.

The following paragraphs compare the statistical data for various industries with the corresponding period of 1921. Usually the comparison covers the first 11 months of each year, but in a few cases figures for only 10 months are available.

TEXTILES.

The wool manufacturing industry was from 20 to 25 per cent more active in 1922 than in 1921. Receipts of wool at Boston for the first 11 months of the year were 21 per cent greater, due to the increase of 42 per cent in domestic receipts. Consumption of wool in mills exceeded last year, on a 10 months' comparison, by 25 per cent. The price of unwashed wool at Boston advanced almost 70 per cent during the year, yarns about 50 per cent, and finished goods advanced about 20 per cent.

Cotton consumption, with its November record since 1917, rose 13.5 per cent in the first 11 months of 1922 over the same period of 1921. Exports of raw cotton declined almost 6 per cent, and stocks were depleted, compared with a year ago, except at mills. The price of raw cotton rose about 12 per cent, both to the producer and on the New York Cotton Exchange, up to December 1, and further advances were made during December. Yarns, print cloths, and sheetings advanced about 20 per cent during the year.

The calculated consumption of raw silk increased 11 per cent over the corresponding 11 months last year. Stocks of raw silk on December 1 were about 150 per cent greater than a year ago. The price of raw silk increased about 10 per cent during the year.

METALS.

The iron and steel industry was from 60 to 70 per cent more active than in 1921, but about 25 per cent less active than in the boom year of 1920. Iron-ore movement was 65 per cent greater than in 1921, pig-iron production increased 60 per cent, and steel-ingot production 71 per cent. Unfilled orders of the United States Steel Corporation rose about 60 per cent during the year. Iron and steel prices rose from 15 to 50 per cent, with the highest relative increase in pig iron. Exports of iron and steel, based on 10 months' figures, declined 26 per cent.

Locomotive shipments by manufacturers for the first 11 months of 1922 were 16 per cent less than in 1921, owing to the decline of shipments for foreign account of 56 per cent. Domestic shipments increased 8 per cent. Unfilled orders for foreign locomotives on December 1 were less than a year ago, but domestic orders were over ten times as large. Orders for freight cars placed in 11 months of 1922 were over seven times as large as a year ago.

Production of steel sheets averaged about 75 per cent of capacity in 1922, as against 35 per cent in 1921. Sales of fabricated structural steel were about 88 per cent larger in 1922 than in 1921, based on 11 months' figures.

Copper production showed an increase of 96 per cent over 11 months of 1921, but was almost 30 per cent below the 1920 figures. Exports of copper were 29 per cent greater than in 1921, on the basis of 10 months' figures. The price of copper advanced about 10 per cent during the year.

FUELS.

In spite of the strike bituminous-coal production was only 7 per cent less than in 1921 for the 11 months' period, a decrease of 26,000,000 tons. Anthracite coal, however, showed a decline of 47 per cent, with a loss of 40,000,000 tons. Production of beehive coke increased 32 per cent and by-product coke production increased 41 per cent. Public-utility electric power showed an increase of 7 per cent on a 10 months' basis.

The petroleum industry has been about 15 per cent more active than a year ago. Crude petroleum on the basis of 10 months' figures, shows an increase of 16 per cent in production, 9 per cent in consumption, 11 per cent in imports, and 17 per cent in the number of oil wells completed. Shipments from Mexico increased 13 per cent. Stocks on November 1 were 100,000,000 barrels greater than a year ago, an increase of about 60 per cent. The price of crude oil declined about 20 per cent during the year.

The production of gasoline in 10 months increased 18 per cent over the 1921 period, exports increased 11 per cent, and consumption 16 per cent. Stocks on November 1 were about 60 per cent greater than a year ago.

PAPER.

The paper industry showed an increase of from 20 to 30 per cent in activity over 1921. Ten months' figures show an increase of 21 per cent in production of mechanical wood pulp and 34 per cent for chemical pulp. Stocks of mechanical pulp declined about 20 per cent, while chemical stocks increased about 50 per cent.

News-print paper production increased 19 per cent over the 1921 10 months' period, and total stocks increased slightly during the year, though mill stocks declined. Consumption by publishers was 15 per cent heavier than in 1921. Prices declined about 10 per cent. Total production of paper increased 34 per cent, with an increase of 55 per cent in fine paper. Total paper stocks at mills showed little change from a year ago.

RUBBER.

Production of pneumatic tires was 39 per cent ahead of 1921 on 10 months' figures, while inner tubes and solid tires increased 35 and 84 per cent, respectively. Domestic shipments of all three kinds increased from 24 to 35 per cent over last year. Stocks on November 1 were about 30 per cent larger than a year ago, except inner tubes, where the increase was only about half as great relatively. Consumption of rubber by tire manufacturers increased 56 per cent over the corresponding 1921 period. The price of rubber, through a recent rise, is about the same as a year ago.

AUTOMOBILES.

Automobile production made a new high record in 1922—about 50 per cent ahead of the 1921 output as regards passenger vehicles and about 75 per cent in trucks. The truck production was less than in 1919 and 1920, however.

BUILDING CONSTRUCTION.

Total volume of building contracts let in 11 months of 1922 was 52 per cent greater than in the corresponding period of 1921, and for the full year will undoubtedly exceed the 1919 building record. In value the 1922 contracts already exceed the total contracted for in any previous year, and the average number of projects greatly exceed previous years. Over half of the building volume increase over 1921

was due to the increase of over 100,000,000 square feet in residential buildings, or 56 per cent over 1921. The greatest relative increase, however, occurred in industrial buildings, with a gain of 86 per cent, while business buildings gained 48 per cent.

BUILDING MATERIALS.

Total lumber production will exceed the corresponding period of 1921 by about 35 per cent, but for individual species there is a decided variation. The western softwoods, such as Douglas fir, California white pine, and western pine, increased from 50 to 60 per cent over 1921, except redwood, which gained only 20 per cent. North Carolina pine production increased 83 per cent, but southern pine output was only 17 per cent greater than in the 1921 period. Pine and hemlock production in the Lake States showed increases of from 25 to 30 per cent, but hardwood production in that region was less than in 1921.

Production and shipments of flooring increased about 70 per cent in the 11 months' period, and orders gained 50 per cent. The increases were much larger in oak flooring than in maple flooring. Stocks on December 1 were less than a year ago and unfilled orders about 50 per cent greater.

The production of cement in 11 months of 1922 exceeded any previous full year's production and was 15 per cent greater than the corresponding output for 1921. Shipments increased 22 per cent and also made a new high record, exceeding production, and resulting in a decline of about 40 per cent in stocks on hand on December 1.

HIDES AND LEATHER.

Sole leather production, based on 10 months' figures, was slightly less than in 1921, but upper leather production was about 30 per cent greater. Stocks of leather declined during the year, as did also stocks of hides. Exports of leather exceeded 1921, with upper leather exports more than double the previous year. Prices of hides rose from 30 to 50 per cent during the past year, but leather prices tended to decline slightly. Exports of boots and shoes were only a little more than half as large as a year ago, and prices were reduced slightly.

CEREALS.

The final estimate of the 1922 wheat crops shows an increase of 41,000,000 bushels, or about 5 per cent over the 1921 crop, due to the increase in winter wheat. Receipts and shipments of wheat for 11 months were 9 per cent less than in 1921, and the visible supply on December 1 showed a slight decline from last year. Exports of wheat and flour, on 10 months' data, showed a decline of 38 per cent. The production of wheat flour was about the same as a year ago, while consumption increased about 7 per cent. Prices of wheat were slightly higher than a year ago, but flour prices were lower.

The 1922 corn crop shows a decrease of 178,000,000 bushels, or about 6 per cent. Receipts, shipments, and grindings into glucose and starch all increased about 18 per cent over the 11 months of 1921, while the visible supply showed a decline of almost 30 per cent. Exports of corn in 10 months showed an increase of 31 per cent, and the wholesale price increased about 50 per cent.

The oats crop of 1922 was 137,000,000 bushels larger than the 1921 crop, or about 13 per cent. Receipts were about the same as in 1921, but the visible supply was less than half as great. Exports in 10 months were over four times as large as a year ago, and the price increased about 25 per cent.

MEATS AND DAIRY PRODUCTS.

The movement of cattle and calves showed a large increase over 1921, receipts increasing 16 per cent; shipments, 24 per cent; and stocker and feeder shipments, 39 per cent. Slaughter increased about 10 per cent, while exports of beef products declined 9 per cent in 10 months. Cold-storage holdings were about the same as a year ago, and prices in general were higher.

Receipts, shipments, and slaughter of hogs were all about 5 per cent greater than in 11 months of 1921, but stocker and feeder shipments were 18 per cent larger than in 1921. Exports of pork products declined 18 per cent on a 10 months' comparison, and cold-storage holdings increased slightly. The price of hogs was 20 per cent higher than at the end of 1921, while pork prices were about the same as last year.

SUGAR.

Meltings of raw into refined sugar made a new high record in 1922 and were 45 per cent larger than in 1921. Exports of refined sugar also made a new high record and were more than double the 1921 exports. Stocks of raw sugar were slightly smaller than in 1921 at this time and prices of sugar were higher. Receipts in and exports from Cuba were slightly greater than a year ago, but stocks in Cuba on December 1 were only 49,495 tons, as against the huge stocks of 967,515 tons held on December 1, 1921.

WATER TRANSPORTATION.

Panama Canal traffic was 19 per cent larger than last year and made a new high record; traffic in American ships increased 26 per cent. Traffic through the Sault Ste. Marie Canal was 25 per cent larger than in 1921.

RAILROAD TRANSPORTATION.

The average surplus of 282,926 freight cars on December 1, 1921, has almost disappeared, and in its place the average shortage has increased from almost nothing to 133,786 cars. The number of cars in bad order has been considerably reduced during the year. Total car loadings for 1922 increased about 11 per cent over 1921, in spite of the drop in coal loadings, and were almost up to the high mark of 1920. Railroad revenues declined 2 per cent from 1921 on a 10 months' basis, due to a decrease of 1 per cent in freight revenue and 9 per cent in passenger revenue. Operating expenses were reduced by 6 per cent, resulting in a gain of 23 per cent in net operating income.

LABOR.

Employment in factories, as reported from both New York and Wisconsin, showed a gain of about 15 per cent during the year and total pay roll increased about 20 per cent. Estimated unemployment in Pennsylvania was reduced from 269,322 to 28,398 during the year ending December 1. The average applications per job at State and municipal employment agencies show a change from a surplus of 57 per cent in workers to a shortage of 3 per cent.

Immigration and emigration both show declines of about 50 per cent from the corresponding 1921 figures.

PRICE INDEX NUMBERS.

The average price paid to farmers for crops on November 15 was 20 per cent higher than a year ago, and the live-stock price index was about 14 per cent higher.

Wholesale prices have made a gradual rise in 1922, and the index number of the Department of Labor is over 10 per cent greater than a year ago. Farm products and metals had the greatest relative gains. The index numbers of Dun's and Bradstreet's showed larger increases during the year, the former rising 13 per cent and the latter 21 per cent.

The retail food-price index declined 5 per cent during the year and showed about the same relative increase over 1913 as the wholesale food index. The cost of living on December 1, as compiled by the National Industrial Conference Board, was still 3 per cent lower than at the end of 1921. The principal decrease was in food, while fuel and light was 4 per cent higher than a year ago.

DISTRIBUTION MOVEMENT.

Mail-order houses on 11 months' business showed a 6 per cent increase over 1921. Chain-store sales averaged 13 per cent larger than a year ago and were the highest recorded for any year.

Magazine advertising was 6 per cent greater than in 1921, while newspaper advertising, based on 10 months, showed a decline of 6 per cent. Postal receipts for 11 months were 9 per cent greater than in the 1921 period and made a new high record.

PUBLIC FINANCE.

The total United States interest-bearing debt was reduced by \$667,000,000 during the 12 months ended December 1, or about 8 per cent; Liberty and Victory loans were reduced by \$2,153,000,000, or about 11 per cent. Customs receipts increased 46 per cent and were far greater than in any previous year. Total ordinary receipts of the Government declined 24 per cent and disbursements were reduced by 30 per cent, with a balance of ordinary receipts of over \$300,000,000 in 11 months. Per capita money circulation declined slightly during the year.

BANKING AND FINANCE.

Debts and bank clearings for New York City increased 17 and 13 per cent, respectively, while for the rest of the country the increases over 1921 were only 6 and 8 per cent, respectively. Bills discounted by Federal reserve banks were only half as large as a year ago, but investments were twice as great. Note circulation showed little change, but the reserve ratio stood at 76.4 per cent on December 1, 1922, as against 72.7 a year ago. Member banks of the Federal reserve system had slightly smaller loans and discounts outstanding than a year ago, while investments increased by \$1,100,000,000 and deposits by \$800,000,000. Interest rates fell during the year.

Saving deposits in banks increased uniformly throughout the country by about 5 per cent. Postal savings declined about 10 per cent. Sales of life insurance increased 5 per cent in number of policies and 11 per cent in amount of new insurance.

The number of business failures was 27 per cent larger than in 1921 and exceeds any previous year since 1915. The amount of defaulted liabilities exceeded the huge defaults in 1921 by 5 per cent.

Security prices rose considerably during the year, industrial stocks averaging an increase of about 34 per cent, railroad stocks about 17 per cent, and bonds about 20 per cent. Stock sales were 55 per cent greater than in the 1921 period, and bond sales increased 26 per cent. Liberty-Victory bond sales declined 18 per cent, but other bonds increased in volume by 92 per cent.

FOREIGN EXCHANGE AND TRADE.

The general index of foreign exchange compiled by the Federal Reserve Board increased about 10 per cent during the year, and now stands at 67 per cent of par. The principal changes during the year were the increases in the pound sterling, the Canadian dollar, and the Argentine, Dutch, and Swedish exchanges, and the continued rapid fall in German marks.

Exports were about 16 per cent less than in the 11 months' period of 1921 and the lowest in value since 1915. Imports up to the time the new tariff law went into effect were above the 1921 corresponding period by approximately 16 per cent. Imports of gold declined 62 per cent and exports increased 57 per cent, but an export balance of \$21,000,000 still remained for the 11 months of 1922.

Business record for 11 months of year.

Commodity.	Unit.	Production for 11 months of year.		Per cent increase (+) or decrease (—) in 1922 from 1921.
		1921	1922	
Foodstuffs:				
Corn products (consumption).....	Thousand bushels.	52,503	62,237	+18.5
Sugar (meltings).....	do.	3,344,558	4,856,509	+45.2
Fish (catch).....	Thousand pounds.	154,229	185,612	+20.3
Clothing:				
Cotton (consumption).....	Bales.....	4,895,850	5,559,120	+13.5
Silk (consumption).....	do.	302,356	336,578	+11.3
Fine cotton goods.....	Pieces.....	3,801,377	4,193,473	+10.3
Fuels (coal):				
Anthracite.....	Thousand short tons.	84,270	44,291	—47.5
Bituminous.....	do.	384,295	358,055	—6.8
Beehive coke.....	do.	5,139	6,807	+32.5
By-product coke.....	do.	18,058	25,417	+40.8
Metals:				
Pig iron.....	Thousand long tons.	14,895	23,793	+59.7
Merchant pig iron.....	do.	1,781	2,806	+57.6
Steel ingots.....	do.	17,604	30,106	+71.0
Unfilled orders, United States Steel Corporation.....	Thousand long tons.	14,251	16,840	+60.9
Copper.....	Thousand pounds.	453,433	886,640	+95.5
Zinc.....	do.	387,160	661,674	+70.9
Lumber:				
Southern pine.....	Thousand feet b.m.	4,115,427	4,828,786	+17.3
Douglas fir.....	do.	3,226,213	4,918,451	+52.5
North Carolina pine.....	do.	318,780	584,780	+83.4
Northern pine.....	do.	391,248	514,925	+31.6
Western pine.....	do.	856,104	1,369,002	+59.9
Michigan softwood.....	do.	74,515	86,491	+16.1
Michigan hardwood.....	do.	144,243	143,856	—0.3
Oak flooring.....	do.	131,419	251,051	+91.0
Maple flooring.....	do.	88,821	123,372	+38.9

*Condition November 30 of year indicated.

Business record for 11 months of year—Continued.

Commodity.	Unit.	Production for 11 months of year.		Per cent increase (+) or decrease (—) in 1922 from 1921.
		1921	1922	
Paper:				
Corrugated boxes.....	Thousand square feet.....	739,692	1,352,566	+82.9
Solid fiber boxes.....	do.....	501,342	606,180	+20.9
Buildings, etc.:				
Building contracts.....	do.....	351,931	534,341	+51.8
Cement.....	Thousand barrels.....	91,734	105,199	+14.7
Fabricated steel (sales).....	Long tons.....	686,763	1,287,401	+87.5
Brick—				
Face brick.....	Thousands.....	389,730	502,383	+28.9
Silica.....	do.....	58,201	119,490	+105.3
Clay, fire.....	do.....	350,347	504,512	+44.0
Sanitary ware—				
Baths (enamel).....	Number.....	459,299	787,529	+71.5
Lavatories (enamel).....	do.....	652,857	980,381	+50.2
Sinks (enamel).....	do.....	740,063	1,021,461	+38.0
Transportation vehicles:				
Locomotives—				
Shipments.....	do.....	1,260	1,064	—15.6
Unfilled orders.....	do.....	1,318	1,619	+409.1
Freight cars (orders).....	do.....	21,500	156,720	+628.9
Distribution movement:				
Magazine (advertising).....	Thousand lines.....	17,761	18,881	+6.3
Postal receipts.....	Thousands of dollars.....	222,381	243,331	+9.4
Customs receipts.....	do.....	287,760	420,857	+46.3
Mail-order houses.....	do.....	229,903	243,254	+5.8
Chain stores.....	do.....	206,643	233,857	+13.2
Exports (total value).....	do.....	4,198,933	3,490,627	—16.9
Labor:				
Number on roll of New York State factories.....	Thousands.....	1471	1540	+4.6
Unemployment in Pennsylvania.....	Number.....	1,269,322	1,283,398	—89.5
Securities:				
Stock sales.....	Thousand shares.....	154,387	238,958	+54.8
Bond sales.....	Thousands of dollars.....	3,057,569	3,836,697	+25.5
Municipal bonds (long term).....	do.....	1,106,870	1,172,552	+5.9
Life insurance (new business).....	do.....	5,117,761	5,672,542	+10.8
Stock prices, closing—				
25 industrials.....	Dollars per share.....	\$79.14	\$106.09	+34.1
25 railroads.....	do.....	\$54.19	\$63.46	+17.1
Banking:				
Debits to individual accounts, outside New York City.....	Millions of dollars.....	173,419	183,688	+5.9
Bank clearings, outside New York City.....	do.....	127,230	136,768	+7.5
Price index numbers:				
Farm prices—				
Crops (15th of month).....	Index number.....	198	2118	+20.4
Live stock (15th of month).....	do.....	192	2105	+14.1
Wholesale prices, Department of Labor, all commodities.....	do.....	141	156	+10.6
Retail prices, food.....	do.....	152	145	—4.6

¹ Condition November 30 of year indicated.² Average of weekly closing prices for November of year indicated.³ Average as of the 15th of November of year indicated.

This recital of facts indicates a very healthy, prosperous, and growing condition, and, to my mind, is attributable in no small measure to the confidence created by the outlook afforded by the Fordney-McCumber Tariff Act. For 134 years, since the first act on July 4, 1789, was enacted, we have enjoyed for the greater part of the time protective tariffs. According to authorities about 62 per cent of the imports in value are on the free list. About 30 per cent more are of a class that are unaffected by such changes in rates that would materially interfere with their free importation, this leaving only 8 per cent upon which the operations of the tariff laws may be conceded to have some effect. Many instances could be cited where this present tariff has received the approval of those who opposed it during its formation and who are being greatly benefited by its operation.

In some remarks I made to the House on July 21, 1921, I advocated the revival of a confident and optimistic spirit in the future of America. That day has already arrived. All industry is girding up its loins in anticipation of the busiest time ever known. The railroads are ordering locomotives and cars in greater numbers than ever before, and already the cry is heard that there are not enough hands to do the work in sight.

Five billions is the amount that is conservatively estimated will be spent by the building industry the coming year, we are assured of no cessation in the work of mining coal, and the net-

work of good roads is like a spider web radiating in all directions.

There is plenty of sunshine visible, and while occasional clouds flit across the sky, yet they are melting one by one, and if we will embrace the golden opportunities that are ours to-day we will not only benefit greatly ourselves but will be a blessing and comfort to those who are for the moment not so fortunate. In the words of Doctor Coué: Every day in every way America is growing better and better.

Mr. LINTHICUM. Mr. Chairman, I yield 10 minutes to the gentleman from Illinois [Mr. SABATH].

Mr. SABATH. Mr. Chairman and gentlemen of the House, I am in favor of this legislation. My reason for supporting this bill is that I believe that it will materially aid in developing our foreign service. I am of the opinion that our foreign service ought not only to compare with the service of other countries but that it should excel that of any other country. We must take into consideration, Mr. Chairman and gentlemen, the fact that our foreign commerce has increased and is increasing from year to year. Formerly the Diplomatic Service had very little to do with our foreign commerce, but to-day under the conditions that exist I am satisfied that efficient foreign service will greatly stimulate and aid our foreign commerce. We know that other nations spend tremendously large sums of money to secure the very best and the most capable men to look after their commercial interests. We have been to a certain extent neglectful of our duty in that regard. We ought to have attempted before this time to have made an effort to improve, strengthen, and solidify the service upon which our country must depend not only for its foreign political but commercial affairs as well. I believe this bill goes quite a way in bringing about the greatly needed improvement. It also provides for classification of all in the service, their advancement, and increase in salaries. This provision is absolutely necessary if we desire to keep the experienced and efficient men in this important service. This bill, I am satisfied, will make it possible for young men of poor families, who are capable and aspiring to this service, to continue in the service. Under these provisions we will give the poor lad—the young man who has not income of his own or who can not draw on his parents—the chance and opportunity to obtain the salary that will make it possible for him to exist in his position. I believe we will thereby secure some of the most efficient and most capable young men who up to now have been deprived of an opportunity of seeking this service in foreign lands.

I think this is legislation in the right direction. I am of the opinion that nearly all of us are in favor of bringing an improvement in the service. If there should be anyone in doubt about this bill, I request him to read the evidence by former Ambassador Davis, as was so ably stated by him before the committee. I quote his remarks:

EXTRACTS FROM TESTIMONY OF JOHN W. DAVIS, FORMERLY AMBASSADOR TO GREAT BRITAIN.
(Hearings, 89-92.)

I really do not think that, so far as I know the Government service, there is any one place in it that needs this sort of reform so badly as the Diplomatic and Consular Service, the foreign service, speaking as a whole. Speaking generally, of course, the diplomatic branch of that service is the first line in the country's defense, and the Consular Service is the spearhead of the country's trade.

I have read this bill, and it seems to me it presents four features which, if I may use the phrase, are cardinal points of reform in this question. Manifestly, if we are to get good men in the service, and hold them after they get there, we must set them to work under conditions which are agreeable, that will stimulate their personal ambition, and that will induce them to remain in the service after they have had the experience which makes them valuable. Over and over again, while I was in London, young men and good men in the Diplomatic Service would come to me in great personal concern and ask me frankly whether I thought they ought to stay in the service. I always asked them what their financial condition was.

If I found that they had no—or at best meager—resources beyond their official salary, I told them with great regret that I thought they were doing an injustice to themselves, and that at the earliest opportunity they ought to leave the service and get into something that was not a blind alley. I did that because I felt sure that the time would come when they would want to marry, in the normal course of affairs, and would have children to take care of, and I knew they could not hope to raise a family on the salary they were receiving, and that the time would come, as it comes to all men who stay too long on salaries, when they would find it difficult to get away, and would drag out the rest of their lives in discomfort to themselves and discomfort to their families.

It seemed to me then, and it seems to me now, that if we are to avoid the tremendous "labor turnover" there is in the Diplomatic Service, we must do three things: first, give them an adequate living salary, a salary which will keep them in respectable comfort as long as they are in the service; second, give them a fair chance of promotion. Every man in the service ought to be like Napoleon's foot soldiers, marching with a marshal's baton in his knapsack. They can not all become heads of missions. A great many of them will not become qualified to become heads of missions. That is always true in the nature of things, and I personally believe it would be a great mis-

fortune to the service if the heads of missions should all be taken from the so-called diplomats of career. I think it would be quite contrary to the genius of our institutions and would deprive the President of a field of selection he ought to have; that he should be unable to reach out into the general body of the citizens to make a man ambassador or minister. But there ought to be the incentive, the possibility that an ambassadorship or ministerial position is open to every man who enters the diplomatic career if he has the necessary qualities.

There ought also to be a fair chance of promotion in the lower grades and there ought to be a sufficient number of the lower grades to give him from time to time the stimulus of an advance from one grade to another whenever he has done some creditable piece of work or has shown a fair amount of faculty. We must do something, if men are to be kept working, to stimulate their ambition. In the third place, it is not possible, it seems to me, that the Government will ever be able to pay a salary on which a man can hope to accumulate any reserve fortune. So far as I know there is no post in the whole Government that gives a man much chance to save and probably never will be. The Government will never be able to compete with private enterprise in that respect, and that being true, if the Government expects a man to give his life to the service to take up a presumably fixed career, you must take away from him the fear of a dependent and penniless old age. You must give to these men the same prospect of retirement that you give to the Army and Navy and to the permanent civil service of the executive departments.

Granted adequate pay or reasonable pay, granted a reasonable chance for promotion, as a recognition of merit, and then granted a retirement allowance which will enable a man when he is no longer useful to be assured against want, you will not only get good men but you will be able to retain them because the foreign service does offer, of course, a great many things that are attractive. It is highly intellectual labor. A man who really enjoys intellectual labor can find in the Diplomatic and Consular Service all the field that he needs. It is interesting because it is constantly taking him into new phases of work and there is a certain element of pride about it because it is a dignified position to stand among foreigners as representing a dignified and powerful Nation. This consideration will draw men to the service and will hold them there if they are given a fair chance to live the sort of life that they should live and at the same time make a provision for their old age. I read all these three things in this bill and read them with great satisfaction.

Mr. Chairman, I am for economy. I do not desire to vote a cent of our money where it will not be properly expended. But I do believe that the amount that will be required to take care of these advances in this bill for this very important service will not be so great.

I am under the impression, Mr. Chairman and gentlemen, that the foreign service is self-sustaining. Two years ago we passed a bill increasing the visé fees from \$1 to \$10, and it is bringing to the Treasury a large sum of money—I believe a larger sum than that which will be required to take care of the increase in the salaries provided in this bill.

Up to now I think it has been stated by others that it has been rather hard to get young men, unless they came from rich families, to accept a position in our foreign service.

Ambassador Davis sets forth the reasons why this legislation should be enacted, and I am satisfied that he is right. I also desire to call attention to extracts from the letter of Secretary Hughes, wherein he expresses his views in favor of the passage of the bill:

LETTER OF SECRETARY HUGHES TO AUTHOR OF BILL.
DEPARTMENT OF STATE,
Washington, October 13, 1922.

The diplomatic service is greatly underpaid. It is well known that a man without private means, whatever his ability, can not accept the more important posts of ambassador or minister, but of more immediate importance is the fact that the salaries of secretaries in the diplomatic service are so low that the choice of candidates is largely restricted to young men of wealthy families who are able and willing to a considerable extent to pay their own way.

It follows that there must be an increase in the salaries of diplomatic secretaries as a means of broadening the field of selection by eliminating the necessity for private incomes and permitting the relative merits of candidates to be adjudged on the basis of ability alone.

Furthermore, if young men of the greatest ability and intellectual ambition are to be attracted to the service there must be the prospect of career, recognition, and distinction; in other words, they must feel that conspicuous ability and fidelity will be rewarded by promotion to the higher grades. The classification of ministers as proposed in H. R. 10213, to which reference has already been made, would be most helpful in this regard.

The Consular Service, on the other hand, while better paid, suffers from great limitations as a public career. There is no prospect of promotion beyond the Consular Service, and it is with difficulty that many of the best men are retained because of tempting offers constantly made to them by the business world.

There would be two distinct advantages to be realized from an amalgamation of the two services on an interchangeable basis: First, those highly desirable benefits of economy and efficiency which would accrue through a system of combined administration; second, a more effective coordination of the political and the economic branches of the service.

It is not my desire to take up any more time of the House, because I believe we are all in favor of this legislation. I yield back the balance of my time, and I ask, Mr. Chairman, permission to revise and extend my remarks in the Record.

The CHAIRMAN. The gentleman from Illinois asks unanimous consent to revise and extend his remarks in the Record. Is there objection?

There was no objection.

Mr. LINTHICUM. Mr. Chairman, I am in favor of this bill, and I am largely in favor of it because it amalgamates the two services which heretofore have been and are now absolutely separate. This gives a young man desiring to enter the foreign service a chance to do so whether he has an income of his own or not. It provides him a sufficient salary wherewith to live. At the present time, with salaries of secretaries in the diplomatic service ranging from \$2,500 to \$4,000 a year, a young man can not stay in that service and comply with the requirements thereof. He must leave the service after a certain time in order to make a living, and, therefore, the turnover in the diplomatic service is tremendous and extremely injurious to the service and to the country. Just as soon as men are trained for the work they find the salaries are too small to make it a life work, a life career, and retire from the service. Under this foreign service bill a man can go in and be placed in the consular service perhaps as a minor clerk. He would get an experience; he would become qualified in business matters; he would become qualified in dealing with foreign people, and after a while, when qualified, will be promoted, and eventually, perhaps, if showing great fitness, will go into the diplomatic service. Young men in this way can start on the lower rungs of the ladder and continue until they reach the top; so that it gives everybody a chance whether he is provided with large means or not.

Mr. CONNALLY of Texas. Mr. Chairman, will the gentleman yield?

Mr. LINTHICUM. Yes.

Mr. CONNALLY of Texas. The gentleman spoke of employees in the department going out into private business. Is it not the case that generally it is not so much the individual that the companies who employ them are after as it is the man who has had this training which the Government has made it possible for the man to acquire?

Mr. LINTHICUM. Very largely, because he has had the training. That is why the private business man wants to get him into his business, but the reason the man leaves the service is because the salary is not sufficient to maintain himself and his family, whereas the salary offered by the individual firm does. Just the other day I had a young man particularly fitted for the consular service, but was told that he could not enter the service because he was a married man. Upon inquiry I found that the salary was so small that the consular bureau could not employ married men to go into that particular service. The salary was not sufficient to maintain a man and his wife. Shall our Government be a party to a service which compels celibacy?

Mr. TOWNER. While it is true that men do go from the civil service because of special qualifications which they acquire in the service, it is also true that it is an immense loss to the Government to lose such skilled service, because a new man can not go into the service with special adaptation for the work equal to that of the man whom we lose. We ought to do everything we can within reason to keep those who are really qualified in the service.

Mr. LINTHICUM. The gentleman is entirely right about that. The Government loses all that valuable training which the young man has received. The gentleman from New York [Mr. HUSTED] awhile ago said that perhaps we ought to have some school to teach young men in the foreign service. I think the best school will be provided under this bill, because it will make it possible to appoint young men to consular positions and in the Diplomatic Service under very able, experienced consuls and diplomats; under that leadership. Under the tutelage of such men of experience at the head of the Diplomatic and Consular Service they will get exceptionally good training and active experience and become proficient and capable of carrying on the work. They will become highly qualified through actual work and experience.

Mr. HUSTED. Mr. Chairman, will the gentleman yield?

Mr. LINTHICUM. Yes.

Mr. HUSTED. I agree with the gentleman that if this bill becomes a law and young men are admitted to the service under its provisions they will in the consulates and legations get the practical experience of the trained men, but I think a great deal would be added if we maintained a school where we could teach the theoretical side as well, where they could get instruction in economic and other technical subjects which they must know both practically and theoretically if they are to function to the best advantage of the Government as consular officers or as diplomatic officers.

Mr. LINTHICUM. I have no objection to a proper training of these young men before they enter the service, but the gentleman must realize that men who enter the service are compelled

to pass an examination which must show a large degree of fitness and aptitude in the beginning and before appointment.

Mr. BANKHEAD. Mr. Chairman, will the gentleman yield?

Mr. LINTHICUM. Yes.

Mr. BANKHEAD. On account of other engagements, I have not been able to follow the debate on this bill. Some criticism was formerly made of the duplication of work on the part of the commercial attachés and the consular agents. Does this bill undertake to take cognizance of that consideration in any degree?

Mr. LINTHICUM. It does not; and I am sorry to say that it does not, because I, too, think there is great duplication of work in the Consular Service and the Department of Commerce commercial attachés. Personally I can see no reason for these commercial attachés, and I think they ought to be done away with and their work covered into the Consular Service.

Mr. BANKHEAD. Was that phase of the matter given attention by the committee in framing this bill?

Mr. LINTHICUM. No; it was not before our committee.

Mr. BANKHEAD. How much is the approximate increase in the cost to the Government for this consolidation?

Mr. LINTHICUM. This consolidation will cost the Government \$578,000 additional in salaries, from which you deduct the \$200,000 known as the post allowance, which will be discontinued, and also deduct \$50,000 which is applied to the retirement feature, leaving a net additional cost to the Government of \$328,000 that is the correct increase. The gentleman from Texas [Mr. CONNALLY] has raised considerable objection to this bill because he says they all should be placed in one class. That might be true, if Congress would agree to appropriate the higher salaries for every man in the Consular Service. Such has been possible ever since 1915, when the salary class bill was passed. In 1915 Congress passed an act by which it specified the salaries for certain classes of consuls, and ever since that time all could have been placed in one class, but I know the Committee on Appropriations would not appropriate for such a catastrophe, and I am quite sure this House would not ratify any bill which would tend to that end.

I am particularly anxious about the passage of this bill and want to see it become a law because this amalgamation of the Diplomatic and Consular Service will rectify the present uncalled-for social feature.

I believe that if these young men starting in the Consular Service know they can be transferred to the Diplomatic Service, or if a secretary in the Diplomatic Service knows that he can be transferred to the Consular Service, that the cleavage between them will not exist and their social position and prestige equalled.

Mr. BLANTON. If the gentleman will yield right there for a question. There is to an extent probably just as much social aspect and prestige in the Consular Service as there is in the Diplomatic Service—that is, so far as the officers are concerned—is there not?

Mr. LINTHICUM. I do not exactly understand; in what respect?

Mr. BLANTON. Well, probably 60 per cent of the function of our Consular Service is social in foreign offices.

Mr. LINTHICUM. In the Consular Service?

Mr. BLANTON. Yes.

Mr. LINTHICUM. No; I should say very little is social in the Consular Service. The Diplomatic Service are compelled to reciprocate for attentions paid, but the Consular Service is not on the same social footing at all.

Mr. BLANTON. Suppose the gentleman visits some point where we have a consular office. He has no business in the world at that office. He goes there to pay his respects to our consular agent; and there are certain social responsibilities resting on the consular agent to pay some attention to the gentleman, is there not?

Mr. LINTHICUM. Well, I should think if he did not pay some attention he would be rather disrespectful to me.

Mr. BLANTON. But, after all, there is a certain amount of social responsibility.

Mr. LINTHICUM. Of course, there is a certain amount of it, and that is one reason why they require more salary than general employees. Now, on this same question—

Mr. FESS. Will the gentleman yield right there?

Mr. LINTHICUM. I will.

Mr. FESS. Is not the true explanation there that it was not made by our own people, but the standard set up by other countries has made it impossible for a man without money to accept an appointment, and therefore we are retrograding to a point where those gentlemen who will give more attention to

social matters than anything else are filling the appointments. Is not that our own mistake there?

Mr. LINTHICUM. Absolutely so. The question of the gentleman from Texas and the gentleman from Ohio can be best answered by the statement on page 15 of the report by our very distinguished ex-Ambassador John W. Davis to the Court of St. James, who practically spent his fortune trying to carry out the will of the people of the United States and trying to keep up his end; and even during war times, when social affairs were very scarce, he spent practically his entire fortune in London. Now, there are certain social features which we must adhere to. I am not strong on the social features myself, I admit; but I think everybody here will admit that if we send a representative to the Court of St. James or anywhere else in the world he must keep up his end of social affairs if he wants to accomplish anything.

Mr. FESS. Will the gentleman yield again?

Mr. LINTHICUM. I will.

Mr. FESS. Suppose he should decline to do it. What would be the effect upon our own country?

Mr. LINTHICUM. Well, I do not know whether there would be any real effect upon our country, inasmuch as we are a very strong and powerful nation and the creditor nation of the world, so perhaps there would not be any direct results; but when he went to accomplish something and found that he was talking to a man he had never met, he would not be able to accomplish the same degree of work or result as if he could speak to him on the basis of having met him on various occasions and having discussed matters socially; and the gentleman from Ohio knows the advantage of being able to go up to a man and shake hands with him over the disadvantage of not knowing him and having to be introduced to him. Even a book agent when he comes into your office now brings somebody with him to introduce him.

Mr. FESS. Will the gentleman permit me to read three lines from Page's Life?

Mr. LINTHICUM. Certainly.

Mr. FESS. It reads:

Dingy with 29 years of filth and dirt and utterly undignified, I did not understand then and I do not understand now how Lowell, Bayard, Phelps, Hay, Choate, and Reid endured that cheap hole.

Referring to our ambassador's quarters in London. That is Mr. Page writing.

Mr. LINTHICUM. I will say to the gentleman from Ohio, he who was quite a professor, I dare say that his school is better known by its graduates throughout the country than the people know the school itself. In other words, a young man who graduates from a school and goes into the community and makes a splendid record, the whole community thinks his school must be a very fine school; and just so with the diplomatic agents who go from this country into foreign service and they make a splendid impression—why, the people judge the country very largely by its representatives. I want to say something about this retirement feature, of which I am also in favor, because what I want, and what I believe is the aspiration of the gentleman from Massachusetts [Mr. ROGERS], is to promote a foreign service which will continue and in which men will enter for life work, enter on the lower rung, if it be necessary, and continue in there until their day of usefulness has perhaps expired, and every year they put into the service they become more valuable to this country, just as I believe that every year a man has been in Congress he becomes more valuable not only to his country but to his district and to his people.

And just so it is in the foreign service. If we can once establish a system whereby men can make this their life work and enter into it with that intention and continue in it with that intention, we shall have accomplished a great work in constructive legislation. As it is now, if a man is sent to some foreign country and spends a great deal of time there, it is almost impossible for him, with the salary he receives, to save anything; and as a usual thing he comes back much poorer than when he went, unless he has a private income to draw upon. Therefore I am in favor of this retirement feature, because under it a man can go out and perform his life work, as I have said, and at the end he knows that his country will look out for him in case of sickness, or in case his age limit retires him he knows that he will be taken care of.

It is my opinion that one of the greatest works in constructive legislation that this Congress has done in many years is the enactment of the retirement bill for civil employees. We have practiced it in the Army for a good many years, and we have practiced it in the Navy, also in our courts. Great corporations have adopted it. Only in the last few years has this Congress

seen fit to provide the retirement feature for its employees. I believe that when these men who go into foreign countries, many of whom go into regions that are not healthy and many of whom travel long distances, all those things not only prevent them from saving money and laying up money for the days when they shall become old and can not work, but they are also a great drain upon their physical powers and endurance. So I believe that this retirement feature is going to be a great asset in the foreign service, and I sincerely hope that this committee will see it in the same way. It will not take one dollar from the Treasury, except the \$50,000 at the present time to establish the working machinery. After that working machinery has been established it will not cost the Government anything for the next 20 years.

It seems to me that a service which is now practically self-supporting will, in 20 years from now, likewise be able to support the retirement feature without cost to the Government. I do not believe when the time comes 20 years from now, if the foreign service grows just half as rapidly and remunerative in the next 20 years as it has grown in the last five years, it will not require one dollar of appropriation by this Congress; I believe, as I say, that we shall have accomplished a great thing and placed these men whom we send to all parts of the world on a basis where they will know that they will be taken care of.

Now, gentlemen, I do not want to take up any more of the time of the committee. I feel very earnest in my support of this bill. It is a great constructive piece of work. It is a piece of constructive work about which we have been talking in the committee for several years. And when the bill is passed and put on the statute books and the foreign service established in accordance therewith, I believe every member of this committee will see that it is a wonderful piece of legislation of which we shall all be proud, and of which the gentleman from Massachusetts [Mr. ROGERS] will have reason to be particularly proud. [Applause.]

Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the RECORD.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. PORTER. Mr. Chairman, I yield five minutes to the gentleman from Texas [Mr. BLANTON].

The CHAIRMAN. The gentleman from Texas is recognized for five minutes.

Mr. BLANTON. Mr. Chairman, the distinguished chairman of this committee has been very frank with us. He has convinced me that no matter what kind of a fight we put up against this bill, he is, nevertheless, going to pass it. He has enough votes to pass it, by 3 or 4 or 5 to 1. So, whenever I am up against a stone-wall proposition like this, I am not going to but my head up against it uselessly. We have 38 Members here present, considering a bill that increases the salaries of our foreign service in the aggregate \$528,000 a year. We have a retirement feature here which my colleague on the committee [Mr. CONNALLY of Texas] says is going to cost \$500,000 more. Then there are provisions in this bill in addition to pay of all the traveling expenses, increasing the allowance for their daily subsistence from \$5 to \$8 a day. There is that increase additional.

If by doing so I could stop passage of this bill I would force debate—and I could force it under the rules—I would force debate after every section of this bill is read under the five-minute rule. I would force you to keep a quorum here every moment of the day, if it would stop the passage of this bill, because I am for economy beyond mere lip service, beyond merely preaching economy here on the floor.

I hope the bill will not be passed. I have just one hope for the people of this country as to this measure, and that is that when this bill goes to the Senate it will die in the pigeon-holes there at the close of this Congress. That is my only hope of preventing this increase of expenses to the extent at least of \$900,000 a year on the taxpayers of the land.

I wish all the Members of the House could know just what this bill does. I wish they could be here and vote the sentiment of the people in their districts. But unfortunately they are not here. However, I am not going to punish them by demanding roll calls every five minutes.

I am not surprised at the Committee on Foreign Affairs allowing a bill like this to go by. Here is the situation: Whenever you have a big diplomatic social function in Washington they have to attend, and they have to touch elbows with the leaders in this foreign service. They become intimately acquainted with them.

When they go abroad they are treated like lords of the land. They become close, fast friends of the entire service. They

naturally feel interested in them. When my friend from Massachusetts [Mr. ROGERS] goes abroad and is entertained over there at these big social functions and walks in ahead of big generals and admirals it makes him feel that up here, not only in Massachusetts but elsewhere in the United States, there should be nine rungs on the social ladder of distinction, nine different rungs of distinction that shall divide the social castes of American citizens. I am not surprised at this coming from the great old Commonwealth of Massachusetts, but I can not stop the bill, and, as I said before, I have got to sit down here and watch it pass.

Mr. PORTER. I yield two minutes to the gentleman from West Virginia [Mr. GOODYKOONTZ].

Mr. LINTHICUM. Mr. Chairman, I wish to know how much time is remaining to this side.

The CHAIRMAN. The gentleman from Maryland has nine minutes remaining.

Mr. GOODYKOONTZ. Mr. Chairman, I do not propose to take up the time of the committee, but I ask unanimous consent to extend my remarks in the RECORD on certain phases of the work of the Coal Commission. You know that commission is trying to figure out some plan whereby coal will cost less to the consumer. I should like to extend my remarks on that subject and perhaps incorporate in my remarks certain excerpts or papers from men who happen to know something of that subject. I want to be frank with the committee and to state my exact purpose.

The CHAIRMAN. The gentleman from West Virginia asks unanimous consent to extend his remarks in the RECORD on the subject of the coal inquiry, with the privilege of inserting certain excerpts if he cares so to do. Is there objection?

There was no objection.

Mr. Chairman, by virtue of the authority granted me by the House I desire to place in the RECORD a statement addressed to the United States Coal Commission, prepared by Col. William D. Ord, of Landgraff, McDowell County, W. Va., who is chairman of the joint committee of seven associations of coal operators engaged in the mining and shipping of coal from southern West Virginia, all of which, excepting the New River Association, are located within the district I represent. Of the many splendid, patriotic men engaged in the coal industry in the region covered by my district, Colonel Ord ranks among the foremost. I cordially invite Members of the House and all those who are interested in the solution of the coal problem to read Colonel Ord's statement. It is informative and at the same time very entertaining. But few men within my acquaintance are better qualified to elaborate upon the coal proposition in West Virginia than Colonel Ord. His statement follows:

UNITED STATES COAL COMMISSION,
Washington, D. C.

GENTLEMEN: These operators of West Virginia have no proper place before your board. Our own labor difficulties have never deprived the people of their coal; rather we have always supplied the Nation when there were labor disturbances elsewhere. Our mines are not overdeveloped; instead, we must constantly expand them to meet the demand for our coal. Our business is not seasonal; on the contrary, we have the central west throughout the year, and the Lake trade to serve in summer, the industries of the East and New England to support, and a foreign commerce to sustain, all of which keeps us constantly engaged. Our prices, as a whole, have created no scandal; rather we have always joined hands with the Government in every effort to control the whole market in the interest of the public. And on only rare occasions—and then due to outside influences—have our transportation difficulties risen to the dignity of a public menace. On these accounts we do not belong in the throng which crowds your anteroom to explain their misdeeds.

And yet we men of West Virginia are here. You have drawn us in. The public will not be satisfied unless we appear. We have come therefore, and gladly, to say this one thing and to prove it:

West Virginia's difficulties have all been imported. They were carried into our borders. And they originate in the fact that others having fallen into a quagmire are and have been trying to drag us in with them.

That this may be apparent we recite our simple story from the beginning.

The coal bearing part of southern West Virginia is extremely mountainous and rough; a country of deep and narrow mountain gorges which afford the only low level routes through which the railroads and the public roads can be driven. Only three practical passageways across the State from the seaboard to the Ohio River Valley are available. Because of the mountain peaks direct rail communication between the north and south portions is so difficult as to be next to impossible. There is little level ground.

In these gorges the coal veins outcrop. Here is found the coal of the greatest variety and of the best quality in any district of similar size in the world.

At the eastern outlet of these gorges is the port of Norfolk, the gateway to the commerce of New England and the world. At the western end of these gorges begins the great coal-consuming district of the Middle West.

The people in both directions from these mines have come to depend upon this assortment of coal. Three great railway systems were built on and sustained by the commerce which these mines create.

Prior to the opening up of the mines the country generally was an almost unbroken forest, practically none of it was or is fit for agriculture. Towns and even hamlets were small and few because there was

nothing to sustain community life. The tide of emigration seeking the fertile plains to the west flowed around this barren mountain section. Those who eked out an existence there were descendants, generally speaking, of the trappers and hunters who made our post-colonial days romantic with their pioneer spirit.

With the advent of the coal operator in this region came the modern community life. Coal mining demands labor in quantity. None being available the operator had to carry his workmen with him. He had to provide for them all the creature comforts—houses, food, clothing, water supply, light, medical attention, sanitation, and later roads, schools, churches, recreation, and amusement.

The uncertainties of any new commercial venture accompanied these early mining operations. In addition, the pioneers were under the handicap of having to try to introduce an unknown coal to patrons already supplied. For years they struggled for existence. The operator and his employee ventured together into this field. There was hope, but hardly that either would there establish a permanent home. Even with land available few cared to make investment in homes. For this reason the residences of officers and employees alike were constructed by the mining companies as parts of the plants. This practice remains.

Under these conditions the railroads, the mining industry, and the communities grew together.

Of the group of mines here represented the New River Coal Field was first developed. Then followed Pocahontas in 1880, and the Tug River, Thacker, Logan, and Winding Gulf fields at much later dates.

The close contact inspired by a common risk and a primitive life brought naturally an intimate and friendly relationship between owners and employees such as arises between captain and crew of a ship in peril from a storm. This relationship has always existed, exists today, and will continue to exist unless ruptured—as has frequently been threatened—by outside influences. Many of the employees of former days are the employers of to-day; relations entered into in these fields are enduring.

This relationship developed into community action. Prior to the development of the coal mines school facilities were of the most primitive type; the teachers were poorly qualified and poorly paid, while the school terms lasted but two or three months a year. In their places to-day are up-to-date school buildings which compare favorably with similar institutions of larger towns. The teachers are well educated and well trained; in most instances they are graduates of normal schools. Their salaries are as large as those paid in many cities, and quite frequently their services are obtained in competition with the larger communities.

With the development of this community spirit came frequent meetings of a public, semipublic, and social nature for the promotion of the common welfare. All communities have their churches around which center many of these activities. These churches were erected and are maintained by joint contributions of employers and employees.

Again the same community spirit inspired modern roads built with money raised by bond issues directed by popular vote. So large a proportion of the employees own their automobiles that finding suitable ground for garages is difficult. Their children are carried to school in motor busses operated at public expense.

In addition to assuming their share of expense for community development, each coal company provides competent physicians whose services, including medicines, are furnished the employees at a small fixed charge—usually \$2 per month per family. Many of the companies provide at their own expense, without any charge whatever to employees, trained and certified nurses and adequate emergency hospital facilities at the mines.

House rents are usually based on a charge of \$2 per room per month. Electric power and lights are furnished at prices less than half the rates paid in cities. Employees are permitted to use all the coal they want for culinary and heating purposes, for which a small fixed charge is made, usually about \$1 per month per family.

These items entail a heavy fixed charge upon the coal companies, for which the only compensation is satisfied and contented employees.

The necessities from the beginning have demanded that the companies maintain stores. In these the prices of food, clothing, and other necessities of life are so low as to call forth protests and criticism from independent stores in neighboring small towns and to induce customers from the larger towns frequently to go considerable distances to patronize these company stores.

Athletics, including baseball, football, and other outdoor sports, play an important part in the life of these communities. Athletic grounds exist practically everywhere, and local and interplant contests frequently occur. Other recreation facilities include moving-picture theaters and other indoor entertainments.

We have gone fully into these details not to boast but to depict the spirit which has grown because employers and employees sustained the proper relations to one another. We have had from the beginning the spirit which great corporations everywhere are trying to build by all the arts of modern welfare work. Because of it, we employers and employees found, together, a wilderness and caused it to blossom into an advanced community.

Up to this point we have shown our relations among ourselves. We begin here to show what our relations have been to the rest of the country—what our internal accord has meant to the national community.

In her natal year, 1863, West Virginia began to contribute to the bituminous coal needs of the Nation. She produced that year 4½ per cent of the total national consumption. The increase in production thereafter was naturally slow, owing to the difficulties and handicaps heretofore described. It was not until the coal fields, heretofore mentioned, began to be developed that its percentage of production materially increased. But in 1889 the State produced 6½ per cent of the bituminous coal of the country, and by 1915 had made such progress that it produced 17.4 per cent of the Nation's coal. In tonnages West Virginia produced, in 1863, 444,648 tons; in 1889, 19,252,995 tons; in 1915, 77,184,069 tons; and in 1918, 89,935,839 tons.

Beginning shortly after the Civil War and down to 1915, with certain temporary exceptions, the average price of West Virginia coal seldom, if ever, varied more than 25 per cent. That is to say, from the time when West Virginia coal first entered the market until the Great War in Europe, fluctuation in the price of this coal was small and unimportant.

When in 1916 it became evident that this country would become involved in the Great War—a year previously it had become involved in it in an economic way—bituminous coal became of the first importance. By reason of the excessive demand for it by the manufacturers who were struggling to fill war orders from Europe as well as America, and by reason of the growing shortage of railroad transportation and the inability of the carriers to purchase equipment for prompt delivery, all

the coal which was needed could not be supplied. Therefore the price was forced, by urgent buyers, to unheard-of heights.

Our country's entry into the Great War in 1917 brought the coal industry under Government control. With it came the incessant demand from the United Mine Workers of America for increased wage scales. The granting of these demands; the increased wages conceded to other unions by manufacturers who furnish the materials used at the mines; the consequent increase in railroad rates; and the increases in vessel rates, so increased the prices of coal that our American customers were, and have been, compelled to pay from two to three times the former price for coal. They can not understand it. Nor will they be satisfied until prices are deflated, not only on coal at the mines but of the railroad rates and all other distribution charges accruing between the mine price and the consumer's door.

Deflation did start in promptly on Armistice Day, November 11, 1918. It became apparent to buyers early in 1919. The downward trend was halted sharply in the fall of 1919, when the United Mine Workers of America—demanding an increase rather than a decrease in wages—called a general strike, which after six weeks again increased the price of coal. Doctor Garfield, then United States Fuel Administrator, insisted that the United Mine Workers Union modify its demands. It refused. And it succeeded in securing a substantial increase effective November 1, 1919. It won a still greater increase August 16, 1920, through the United States Bituminous Coal Commission appointed by the President.

Peace restored, after the 1919 strike, the law of supply and demand began to assert itself in 1920. The tendency toward lower prices was short-lived. The outlaw strike of the railroads came in April. Terminal congestions and a stoppage of coal movement resulted. Public officials and the newspapers became alarmed and incited panic among the people. And at the critical time Europe, to save itself from Bolshevism which was sweeping into western Europe from Russia, where it was finding a ready foothold because the factories were idle from lack of coal, began to plead with American producers for coal. We did not have the coal to spare, but our public officials were convinced that the peace of the world depended upon our getting coal to Europe, and we did it. At this critical time the gambling middlemen, at home and abroad, descended upon this distressing situation and created panic and prices which have shamed the industry.

This wild demand began to slacken in November, 1920. Early in 1921 it had entirely passed. Then again the inexorable law of supply and demand commenced to work. Again deflation started. And for the first time since 1916 prices went back to low levels and in many instances greatly below the then cost of production.

Again the United Mine Workers of America, unalterably opposed to doing its share in this deflation, called a strike effective April 1, 1922, with the result known to all.

After the nation-wide strike of 1922 was called and after it became apparent that a runaway market was inevitable, Secretary Hoover appealed to the nonunion operators, on May 15, 1922, to increase production to the uttermost and voluntarily to keep the price of coal on a fair basis. Several conferences were held at Washington, at all of which the nonunion operators showed a willing inclination and intention to comply with the request as made. What was known as "fair prices" were established at Mr. Hoover's request and were approved by him. These prices were generally maintained and adhered to, by the smokeless operators so thoroughly as to receive the hearty commendation of the Secretary of Commerce. Notwithstanding these facts, a distinguished United States Senator, on the floor of the Senate, made a severe attack on the coal industry, accusing those engaged in it of profiteering. In response to that attack and in response to a letter, Mr. Hoover, on August 18, 1922, addressed a letter to the Hon. WILLIAM E. BORAH setting forth the facts as to the fixing of the prices of coal. In that letter he states:

"Through these arrangements approximately 70 per cent of the coal is moving to-day from the mines on a fair-price basis. * * * I inclose, for example, a statement showing the coal sold under the fair price in the smokeless fields as compared with profiteer coal from those districts."

That statement is as follows:

SHIPMENTS FROM POCAHONTAS FIELD—

West Virginia, showing entire product and amount thereof sold during June, July, and to August 15, at or below and above the fair price:

	Tons.
June: At and below fair price.....	1,981,776
July: At and below fair price.....	1,225,930
Over fair price.....	50,370
To August 15: At and below fair price.....	708,215
Over fair price.....	25,185

President Harding made the coal situation, in connection with the strike of 1922, the subject of a message to Congress on August 18, 1922. After discussing the various efforts made to settle the strike and their failure by reason of the defiance by the United Mine Workers of America of all sense of obligation to the public and to the Government, the President says:

"The simple but significant truth was revealed that, except for such coal as comes from the districts worked by the nonorganized miners, the country is at the mercy of the United Mine Workers."

We have now shown our relations and their fruits. We have produced coal in season and out of season. We have received modest prices, except when a world upheaval created conditions beyond our control. Our record is that as soon as an abnormal situation disappeared, the normal tendency asserted itself and prices declined. We now come to a new set of conditions which were imposed upon us from without and for reasons which we will recite.

From the beginning of the coal industry in West Virginia it has been the policy of the operators to conduct the business on a non-union basis. This policy on the part of the operators is shared by a great number, if not all, of their employees, many of whom frankly state they will not work under the union; they will abandon mining rather than do so and will seek other occupations. Notwithstanding the legal right of the operator and the miner to agree upon terms of employment satisfactory to themselves, we have for a generation been interfered with almost without cessation in every way the United Mine Workers of America could devise to accomplish the conquest of our State. They have employed all means from noisy oratory and false representations in private and in public to leading armed groups numbering many thousands of men across the State in open defiance of the State and Nation. Let us give you a brief outline of the history

of the United Mine Workers of America's conspiracy to conquer West Virginia and its consequences.

The initial conspiracy had its origin in a contract entered into at a joint conference between the miners and operators of the central competitive field in Chicago, January 17-28, 1898. From that contract we quote the eighth clause, which is as follows:

"That the United Mine Workers' Organization, a Party to This Contract, Do Hereby Further Agree to Afford All Possible Protection to the Trade and the Other Parties Hereto Against Any Unfair Competition Resulting from the Failure to Maintain Scale Rates." (See hearings before the Committee on Education and Labor, United States Senate, Senate Resolution 80, p. 394.)

The true meaning of the clause just quoted, as understood by the parties thereto, appears in the minutes of the various joint conferences held after that time, from which we give only three excerpts out of many which might be given.

At the conference held in Pittsburgh, January 18, 1899, John Mitchell, national president of the United Mine Workers of America, said:

"I want to say to the operators that an effort has been made in the past year to curtail the West Virginia coal by preventing its sale on the market." (See hearings before the Committee on Education and Labor, United States Senate, Senate Resolution 80, p. 395.)

At the same meeting Mr. Batchford, whose term of office as president of that organization had just expired, said:

"I want to make a proposition here—That the interest of the West Virginia miners, by reason of the efforts of our organization, have been hampered and injured more in the past year than in any year since they have been operating in the State of West Virginia." (See minutes of joint conference of January 17-24, 1899.)

At the joint conference of 1902 John Mitchell, then president of said organization, further said:

*"We want the check-off system for several reasons: First, * * * because the Pennsylvania operators come here this year and raise Cain with the miners because they do not organize West Virginia."* (See hearings before the Committee on Education and Labor, United States Senate, Senate Resolution 80, p. 399.)

This "conspiracy" of 1898 was referred to at practically every joint conference from that year forward, as the minutes of said conferences will show. It has been set up and proven in numerous suits in various courts of the country. It has never been denied, and the courts have uniformly held it to exist and that it was unlawful.

That it has continued to the present is shown by the statement made by Mr. Fred Mooney, secretary and treasurer of district No. 17, United Mine Workers of America, and published in the United Mine Workers' Journal of December 1, 1920, from which the following quotation is taken:

*"For the struggle in Mingo County is an economic one. * * * In fact, it is the continuance of a struggle begun in West Virginia some 23 years ago and extending throughout this period."*

The struggle to which he refers is, of course, the struggle to unionize the coal miners of West Virginia which the United Mine Workers of America had promised the operators and miners of the central competitive field to do, in order to raise the cost of production of coal in West Virginia to such a point that it could not compete with the coal produced in the central competitive territory. This was a part of the consideration for the joint wage scale and the check-off which had been granted to the organization by the operators of the central competitive field.

A further effect of the joint agreements in the central competitive field has been to fix the wages of coal miners throughout the United States wherever the union exists and has control, because wages elsewhere have been fixed by the union with relation to the wages in the central competitive field. This control of mine labor by one organization has materially affected the selling price of bituminous coal everywhere.

The United Mine Workers of America is frankly and fully committed to the theory of a monopoly of mine labor in all the coal mines in the United States and has never omitted any act, lawful or unlawful, within its power to bring about that situation.

So tremendous and menacing is its power, by reason of the very large percentage of coal mines in the United States it now dominates, that when it arbitrarily calls a strike, as it did in 1919 and again in 1922, approximately 60 per cent of the coal production of the country stops instantly and nothing except the production of coal in the nonunion fields has saved the country from national calamities.

This enormous and widespread curtailment in production naturally and inevitably results in unduly high prices to the consumer for the coal being produced, because consumers become panic stricken and bid against each other for the available supply. This reduced production and the panic of the buyers are not the only things that then contributed to the high price of coal, for the union, in order to increase the chances of making the strike a success, directed every possible effort and attack against the nonunion fields to hamper and reduce their production, which efforts and attacks had to be resisted, including protection of the rights of nonunion men to work—an expense which increased greatly the cost of production in the nonunion fields. It may fairly be said that except as to the unusual situations heretofore referred to, the high prices of coal during recent years have been the direct result of the actions of the United Mine Workers of America in calling nation-wide strikes, such strikes being made possible by its absolute control of mine labor in such a large part of the country.

Not only does it aim at the absolute control of all mine labor in the United States, but it has further declared its intention to secure a world-wide control. In line with this object, this organization made efforts during the past summer to influence British coal miners to prevent the shipment of any British coal to the United States while this organization was on strike.

The history of the efforts of the united mine workers' organization to organize West Virginia is made up of a series of crimes against persons and property without any parallel, certainly in the United States. Short reference will be given to some of the outstanding acts of violence.

In 1912 the union made a determined effort to organize the Kanawha field. Trouble first broke out on Paint Creek and then spread to Cabin Creek and New River, both being nonunion fields. Martial law was declared on September 2, 1912, and the whole of the State's militia was stationed on the two creeks mentioned. This trouble was made the subject of a very exhaustive investigation by a committee of the United States Senate. The whole issue was whether or not the union would be recognized by the operators. The trouble continued for more than a year, during which time there was a great deal of violence of all kinds, including the shooting up of mines by members of the union.

On November 16, 1917, members of the United Mine Workers of America on strike shot up the town of Glen White, W. Va., under a well-devised and well-carried-out plan, preceded by the purchase of high-power rifles for that purpose. Six of these men were tried and convicted of attempt to commit murder in the first degree, including Toney Stafford, international organizer of the United Mine Workers of America, and Ed. Snyder, president of Glen White local of that organization, each of whom was sentenced to five years in the State penitentiary, the other four pleading guilty and receiving one-year sentences. Three of them were ordered deported by the United States Government on account of their being undesirable aliens. Four others were not prosecuted because they turned State's evidence, and it was upon their testimony chiefly that the above convictions were had. One of the men implicated was never apprehended. It will be observed that this shooting up of the town of Glen White occurred during the war when all patriotic citizens were straining every nerve and energy to supply the fuel needs of the country and had for its direct object the stopping of production of the mine situated there, notwithstanding that a representative of the Federal Government had made an investigation and had decided that the miners were wrong in their contention.

Perhaps the most consistent, persistent, and typical example of the length to which this organization will go to accomplish its purpose is that of Willis Branch, in Fayette County, W. Va. The original difference involved six or eight coal companies and was confined to one issue, namely, the refusal of the companies to enforce the closed union shop (by refusing work to applicants not members of the union) and the check-off, having agreed to the union wage scale and all other conditions imposed by the union. The village of Willis Branch and the mine situated there seemed to have been selected for the violence, to be here described, by reason of the local situation, being in a very isolated position—a village in a narrow valley surrounded by mountains, from the tops of which the village was within rifle range. Beginning in the latter part of the summer of 1919 and ending in the early part of the summer of 1921, this village and mine were subjected to a series of attacks by rifle fire and the burning and dynamiting of buildings. The rifle fire from the mountains recurred at frequent intervals during the whole of the period mentioned, as many as 1,000 shots being fired in single instances. The hoist house near the mine was broken into and the machinery destroyed, putting the mine out of business for several months. About the time it was repaired and the mine ready to start up again the head house was burned down, again putting the mine out of business. Finally, on the 22d of May, 1921, the tipple was saturated with gasoline or kerosene, set on fire, and destroyed, together with many railroad cars belonging to the Virginian Railroad Co. and much trestlework, railroad ties, etc., from which damage the company has never recovered. The superintendent's house was dynamited. The poles on which the power lines were strung were cut down. The head house at the mine was burned. The power house, a stone building, was blown up.

For these Willis Branch outrages Walter Romine, secretary of the local union of the United Mine Workers of America, was tried, convicted, and sent to the penitentiary for six years. George Barret, international organizer of the United Mine Workers of America, was tried and convicted, after he procured a change of venue, and sent to the penitentiary for six years, where he now is. John Kidd, Lee Donald, and Clarence Donald were also convicted and sentenced to the penitentiary. A large number of other members of the organization have been indicted but have not yet been tried, including Lawrence Dwyer (otherwise known as "Peggy" Dwyer), international executive board member; James Gilmore, who was president of district 29 (in which Willis Branch is located) during a part of the time mentioned; John Sprouse, who was also president of district 29 during a part of this time; and Frank Williams, a member of the district board of district 29. Along with them were indicted George Lafferty and Tom Lewis, alias Tom Canadian, who were not members of the United Mine Workers of America, but who were desperate characters used by the United Mine Workers of America in making these attacks, and their families participated in the relief fund provided by the above union for families of their members.

Another man deserving special mention for his activities in connection with the Willis Branch violence is David Robb, stated in numerous written confessions of members of the union who participated in said violence to have acted as financial agent of the union in supplying guns and ammunition. He afterwards participated in the Mingo violence in the same capacity. His history is said to take him back to the Coronado Coal Co. destruction and to the Colorado strike.

The union also made an effort to organize the miners in Mingo County, W. Va., and the means they adopted were to make night and day attacks on the mining camps and tipples by shooting into them and at the miners who remained at work with high-power rifles and guns of every description. Several tipples were dynamited or burned and a great deal of property was ultimately destroyed and 28 lives lost. Here again the only issue was recognition of the union by the operators.

The armed march on Logan County in 1921 was an effort to intimidate the nonunion miners of Logan County and to forcibly organize them. This march was the most pretentious effort to force unionization on nonunion men that has yet been made. The marchers, estimated to be 10,000 in number, fully armed and equipped with all the arms, ammunition, and supplies necessary to fit out an army, started in Kanawha County in the unionized fields and marched thence 50 miles or more across the country, commandeering arms, supplies, and train en route. They were met on the border of Logan County by the nonunion miners and other supporters of law and order and their march was stopped. The Federal Government soon after that sent United States soldiers to maintain law and order and the marching miners finally were sent home.

Your commission is considering the industry as a whole. From others you have received a recitation of their situations. From us you here received an exposition of our own case. Speaking now as part of the whole industry, we believe you will find all operators and all miners in substantial agreement on the following facts:

The shortage of coal in no period is or has been due to lack of capacity in the mines to produce coal; no one can seriously contend that this is the case. There were in 1910, according to Geological Survey figures, 5,818 mines in the United States, and in 1920, on the same authority, 14,766; an increase in the decade of 154 per cent. During the same period and on the same authority the production of coal in the country in 1910 was 416,000,000 tons and in 1920 was 569,000,000 tons, an increase of only 37 per cent. We think that production and consumption are sufficiently close to one another for figures to be interchangeable for present purposes. The disparity shown above

between the 37 per cent increase in consumption and the 154 per cent increase in the number of producing mines is, in our opinion, a complete answer to any suggestion that the mine capacity is insufficient.

If the supply of coal is insufficient after this show of capacity the cause must be sought in some other direction. To assist you in that direction we recite:

Our mines to-day are running at less than 50 per cent capacity. This is due solely to a lack of transportation. We can not supply our market if the railroads can not carry more than half of what we can produce.

As we have shown, every period of shortage, except that caused by the war demand, has been preceded by a strike of the union miners.

This leads us to suggest: Stripped of all nonessentials, the two questions before you are:

- (1) How can the periodical interruptions of coal production be stopped?
- (2) How can the wild fluctuations of coal prices be brought to an end?

Answering these questions categorically, the interruptions of production can be stopped if you can arrange to prevent, forever, the union from calling a nation-wide strike. In this connection your particular attention is called to the vital distinction in the principals involved between a "local" and a "national" strike. In a "local" strike the effects are confined to the employers and employees directly concerned in a personal or local issue; whereas in a "national" strike the issues are political rather than economic in character, and bring suffering, loss, and disaster to the general public.

The price fluctuations will disappear if and when the great strikes cease and when the railways can carry our coal to market.

Your commission represents the whole people of the United States. If you feel that the consumer should continue to pay present—or higher—prices for coal, the miners' union should be encouraged by new concessions. If you feel that the people are paying prices which are too high, an effective curb should be put upon its activities—by removing exceptions to the anticonspiracy laws and by protecting all American citizens in their right to work unmolested under such conditions as they elect.

Respectfully,

SMOKELESS COAL OPERATORS' ASSOCIATION OF WEST VIRGINIA,
POCAHONTAS OPERATORS' ASSOCIATION,
NEW RIVER ASSOCIATION,
WINDING GULF COAL OPERATORS' ASSOCIATION,
TUG RIVER COAL OPERATORS ASSOCIATION,
LOGAN COAL OPERATORS ASSOCIATION,
OPERATORS' ASSOCIATION OF WILLIAMSON FIELD,

By WM. D. ORD,

Chairman Joint Committee.

BLUEFIELD, W. VA., P. O. Drawer 868.

Mr. Chairman, the sum and substance of the recommendations of Colonel Ord, one of the highest authorities in the coal business, and speaking for the seven associations of one of the greatest coal regions in the world, is that coal can be made cheap to American consumers and the volume of export coal can be increased if a general strike of coal miners can be obviated. In plain language, the whole proposition can be solved if the United States Coal Commission will recommend and Government departments will carry into execution a plan whereby nation-wide strikes can be prevented. The whole matter is reduced into one problem—how may coal strikes be obviated? If the coal commission will meet with and solve this problem, then it shall have accomplished the purpose for which it was established, and there will flow from its action benefits of immeasurable value. The operators and the men who dig the coal are equally interested in this matter along with the consumer.

Mr. LINTHICUM. I yield the remainder of my time to the gentleman from Virginia [Mr. MOORE].

Mr. MOORE of Virginia. Mr. Chairman, there is no warrant, in fact, for my friend from Texas [Mr. BLANTON] suggesting that the members of the Committee on Foreign Affairs find their work pretty much altogether of a social character and are affected by social influences in the conclusions which they reach. I doubt whether they more extensively cultivate society than do the gentlemen who serve on the Committee on the District of Columbia, including my friend from Texas [Mr. BLANTON]. Certainly the Committee on the District of Columbia get into the headlines and stories of the newspapers much more frequently than our committee.

This bill comes to the House after very elaborate consideration, after the committee had heard men who are supposed to be best posted on this particular subject, and omitting no opportunity for those who may be in opposition to be heard.

Many days were taken in listening to a presentation of facts and arguments, and then days were taken in considering carefully the details of the proposed legislation and trying to put the bill in the best possible shape. I do not mean to say for a minute that, because this or that outstanding man appears before a committee and gives his views in favor of or against legislation, the committee for that reason should necessarily fall in with his views and make their report accordingly; but I do mean to say that when such a man as the Secretary of State—who is certainly a man of very great ability and who studies every subject with which he deals—tells the Committee on Foreign Affairs that he deems this measure vitally essential, and when there comes forward later a former ambassador to Great Britain who has had the sing-

ular good fortune never to incur any adverse criticism, so far as I know, in any office that he has held, who is a man of superlative talent and very great experience, and adds his commendation to that of the Secretary of State, I think at least any gentleman who entertains doubts should carefully examine the evidence that has been presented. And then Mr. Hughes and Mr. John W. Davis are supported by extremely competent men who have long served in the State Department; men whose record is tinged in no way by partisanship; men who in their years of experience have learned to give the Government the best that is in them.

My strong reason for supporting the bill is this: We are in a world of more severe competition, in respect to diplomatic and economic matters, than any generation of men have probably known. It is no secret that our principal competitor in that regard is Great Britain. Unless this measure, or some similar measure, is passed we will continue in the future, as to a large extent we have been heretofore, at a disadvantage in competition with our principal competitor. Gentlemen talk about this bill as if it concerned only individuals or small groups. But if it be true—and I assume it is true—that by the enactment of this bill we will be placed on a more favorable footing in competition with the other nations of the world, can anybody fix a limit to the benefits which may accrue to the United States by legislation of this character?

The benefits will not be confined to the classes concerned about social functions who are in the mind of my friend from Texas [Mr. BLANTON]. They will extend to all the manufacturing interests of America who have or should have business with other nations. They will extend to the farmers of America, who are anxious that our foreign markets shall be widened out, realizing that an enlargement of our foreign markets will perhaps do more for them than all the new credit facilities that can be supplied.

Now, in a word, what do we do by this bill? Nothing novel. The essential principles of the bill are contained in the legislation of 1915 suggested by the former administration and enacted by a Democratic Congress.

Mr. BLACK. Will my friend yield for just one question?

Mr. MOORE of Virginia. Yes.

Mr. BLACK. If I recall that fact correctly, it did not provide retirement for the employees of the Diplomatic and Consular Service.

Mr. MOORE of Virginia. I except the matter of retirement. Save the retirement feature of the bill and, I may say further, the representation-allowance feature of the bill, the principles carried in this bill closely parallel the principles that were carried in the legislation of 1915.

Mr. TILSON. Will the gentleman yield?

Mr. MOORE of Virginia. I yield to the gentleman from Connecticut.

Mr. TILSON. And the retirement feature has already been accepted and put into practice in the other departments of the Government.

Mr. MOORE of Virginia. That is true.

The CHAIRMAN. The time of the gentleman has expired.

Mr. PORTER. Does the gentleman from Virginia desire more time?

Mr. MOORE of Virginia. Just a few minutes more.

Mr. PORTER. I yield to the gentleman 10 minutes.

Mr. MOORE of Virginia. It was the design of the legislation of 1915 to detach the diplomatic secretarial service and the Consular Service from party politics, the legislation being in line with regulations theretofore put in effect and observed. That general principle is carried in this bill. It was the theory of the legislation of 1915 that men appointed to the Diplomatic Service below the rank of minister and ambassador might be transferred from post to post by the President at will. And the same thing was the theory with respect to the Consular Service.

Now, what does this bill do? It does not amalgamate the two services, but it facilitates the transfer of a man from one field of service to the other field of service, and, in the way which the gentleman from Massachusetts has explained, produces a flexibility which does not exist at this time. In other words, it says to a young man, "Come into the foreign service; you may be employed two or three years as a consul or a diplomatic secretary, and then have the opportunity of entering the other branch." That is something that will stimulate the ambition and hope of the young men who have an inclination to serve the Government in foreign countries.

Now, that can not be done, as gentlemen have explained, without readjusting salaries, because, as they have explained, if there is to be no readjustment of the salaries a man might be serving to-day in a consular office and transferred to-morrow to a diplomatic post of no greater importance and dignity at a very

much lower salary. There has got to be a consolidation, so to speak, of the salaries in order to bring about in a practical way the flexibility that is desirable. Now, in respect to that, we are only doing what I understand Great Britain has done for a long time. In providing for increase of salaries, assuming that the number of men in our foreign service will not be increased, the annual increase of salaries will be \$328,000 distributed among about 600 men—not a large per capita increase. In making the increase of salaries we have not gone as far in fixing the totals as Great Britain has gone.

I have had some hesitation about the retirement provision, but when I came to reflect that a similar provision is carried in what we know as the Lehlbach bill, applying to the civil-service employees of the Government; that for years and years it has been recognized as a proper thing to apply such a provision to the Army and the Navy, for the reason that the Army and the naval officers specialize and unfit themselves for other duties ordinarily and are often called upon to serve abroad; that retirement allowances are provided for judges of the United States courts, and for the reason that serving as judicial officers unfits them for other duties; when I think how far we have gone in that direction and how important it is to make our foreign service as strong as possible, and certainly as strong as that of any other nation that flies a flag, I waive my doubts as to the retirement feature and am willing to support the bill as a whole. And when there are adopted the retirement allowances that are fixed by this bill, nevertheless we will still lag behind Great Britain in that respect.

Mr. BANKHEAD. Will the gentleman yield?

Mr. MOORE of Virginia. I will.

Mr. BANKHEAD. Does the gentleman mean to say that the average compensation paid British diplomatic officers of a similar rank is larger than that in this bill?

Mr. MOORE of Virginia. That is my understanding from the record; there can be no question about that.

Now, if this measure is enacted, still the British foreign service will be on a higher basis as to the call it makes on competent young men, as to salaries paid if they enter the service; as to a reasonable guaranty of being taken care of when they become disabled. If you examine the British legislation, you will find that it takes into account the fact that men are very often, early in life, incapacitated physically and sometimes mentally by being subjected to the excessive heat and unhealthy conditions of the Tropics. We propose nothing like that. We do not attempt to equalize with Great Britain in that respect.

Mr. ABERNETHY. Will the gentleman yield?

Mr. MOORE of Virginia. Certainly.

Mr. ABERNETHY. I would be glad if the gentleman would explain how the retirement fund is made up so that it may go into the Record. As I understand, it comes from the 5 per cent contribution from the salaries of these various men.

Mr. MOORE of Virginia. There is a contribution of 5 per cent from the salary. The effect of that is that until about 1945 the annuities from the employees themselves will make up the sum except the initial sum of \$50,000. The British official makes no such contribution whatever.

Mr. TILSON. Mr. Chairman, will the gentleman yield?

Mr. MOORE of Virginia. Yes.

Mr. TILSON. I note that it is very properly provided that the salary of no official shall be decreased by this reorganization.

Mr. MOORE of Virginia. Yes.

Mr. TILSON. But that any amount that a man now receives above what a particular office will receive later on shall cease when the present incumbent goes out of the service.

Mr. MOORE of Virginia. That is true.

Mr. TILSON. So that there would be a slight reduction?

Mr. MOORE of Virginia. There will be a reduction in the salaries of three posts, I think. There are three consuls general serving now—one at London—who are receiving salaries in excess of the salaries provided by the bill, but after those now in such offices cease to serve, then the salaries of those three positions will be lower than the salaries paid at the present time.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. PORTER. Mr. Chairman, I yield to the gentleman an additional five minutes.

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. MOORE of Virginia. Yes.

Mr. BLANTON. It is true that we are to charge them 5 per cent of their salaries on the retirement fund.

Mr. MOORE of Virginia. Yes.

Mr. BLANTON. But in order to let them pay the 5 per cent out of their salaries, by this bill we have increased their salaries from 20 per cent on up.

Mr. MOORE of Virginia. Not as much as 20 per cent.

Mr. BLANTON. From 10 per cent on up.

Mr. MOORE of Virginia. Something, yes.

Mr. BLANTON. Then we have given them more than enough increase to pay out a little for the retirement fund. It all comes from the pocket of the people after all.

Mr. MOORE of Virginia. We have increased the salaries, and the increase will come out of the pockets of the people, except in so far as it comes out of the operations of the foreign service itself, and it has been repeatedly stated here this morning that this is one service that is very nearly self-sustaining. But even if it were otherwise we should discriminate as to what is profitable expenditure and what is unprofitable expenditure, and I just as firmly believe, as I believe anything, that it is to the interest of the wheat raisers and the cotton producers and the cattle and sheep raisers, as well as the manufacturers, to do all that we reasonably can to develop the foreign markets where this country sells, and to give greater opportunity for trade in those markets. [Applause.]

Mr. HUDSPETH. Does this bill establish a foreign market for cattle?

Mr. MOORE of Virginia. My friend knows that it does not do it directly.

Mr. HUDSPETH. If it does, then I am for the bill.

Mr. MOORE of Virginia. But my friend knows this, because he understands the entire situation, that there is hardly anything more important to-day than to do everything that is possible, whether on a great scale or on a small scale, to secure better markets for the products of America and particularly the products of the farmers who are now the greatest sufferers.

Mr. BLANTON. The only ultimate condition I was trying to guard against was the business situation where we have all of the farmers and stockmen in the United States supporting all of the other people of the Government.

Mr. MOORE of Virginia. I am just as much averse to that as the gentleman is. Somebody has said that a good many people live on the farm and a good many people live on the farmer. I am just as much opposed to placing any burden on the farmer, as is the gentleman from Texas, but I think we have to consider carefully and vote fearlessly when we believe that what is proposed is going to result in promoting the general good of the entire people of the country.

Mr. TEMPLE. Mr. Chairman, will the gentleman yield?

Mr. MOORE of Virginia. Yes.

Mr. TEMPLE. The statement has been made that this will increase the cost of the State Department eight or nine hundred thousand dollars a year.

Mr. MOORE of Virginia. Yes.

Mr. TEMPLE. I wonder if the gentleman has made any comparison of the amount spent by the United States Government for the promotion of peaceful relations with foreign countries, about \$8,000,000 a year, with the seven or eight hundred million dollars a year that we spend on the Army and the Navy to prepare for possible war, and whether the gentleman has inquired if a more liberal appropriation for the State Department might not result in the saving of hundreds of millions of dollars for war.

Mr. MOORE of Virginia. Of course, the gentleman is pointing to something that is very obvious, that we appropriate very heavily for the Army and for the Navy, and very heavily in other directions, and yet we are hypercritical when it comes to a small increase such as that proposed here, the benefits of which to all classes can hardly be calculated in advance. [Applause.]

Mr. PORTER. Mr. Chairman, I yield five minutes to the gentleman from Wisconsin [Mr. BROWNE].

Mr. BROWNE of Wisconsin. Mr. Chairman and gentlemen of the committee, it requires no argument to convince anyone that our foreign service is the most important service that we have and that the State Department is one of the most important departments of Government. The Secretary of State, when he came before the committee, testified that to-day we are transacting over twice the business that we did before the war. Yet all that this bill which we have discussed to-day takes out of the United States Treasury is \$3,600,000 a year. We get enough in from the consular fees to more than pay for the Consular Service, so that all that the taxpayers are required to pay on account of this vast and efficient foreign service is \$3,600,000 a year.

So far as the increase in this bill is concerned, deducting the amount that we save in doing away with the post allowance of the former appropriation, is \$378,000 a year. That is a very

small amount, considering the great benefits that will be accomplished. The Department of State is really a nonpartisan department. Go there and you will see the same officers who have been there for 10 or 20, some of them 30, years. Since our Consular Service and other branches of the Department of State were put under the civil service in 1906, the State Department has been entirely out of politics. It is necessary to offer some inducement for young men to enter our foreign service. It requires a young man of education and efficiency.

A young man to make any rise in the State Department has to be equipped not only with a college education but be conversant with the languages. He must have besides his knowledge of English one or two foreign languages that he can speak fluently and translate accurately. Now, the salaries that we have been paying these young men are so inadequate that there is very little inducement for a young man to enter the foreign service of this Government, and as a result the Secretary of State, not only the present Secretary but others, have informed the committee that young men are leaving the service, that not a sufficient number of young men possessing the necessary qualifications were entering the service, and that a majority of those that did were young men of independent fortunes. I am not criticizing men of independent fortunes going to our foreign service, but simply saying that it is not quite in keeping with the spirit of our democratic institutions that in any department of the Government that conditions should be such that forces any young man of ability and ambition who is not the possessor of a large inherited fortune to leave such Government employment. It is getting to be that way now not only in this country but all others, and we see the foreign departments of other countries proposing to unify their foreign service just the same as we are. Of course, Great Britain for years has had a retirement system like we propose. Why should we have a retirement system? Because a man who goes into the foreign service and after he has been in a great number of years and then leaves it there is no other place, no other foreign service he can enter. He goes out without a trade or profession. He does not understand the business of the world; he is out of touch with other employment, just the same as the post-office employee or the Army or naval officer and many other Government employees; and for that reason we provide a retirement provision in this bill to stabilize and make this great foreign service an attractive service, so that young men of ability will go into it. This bill does not raise the salaries of any minister or ambassador. This does not affect one of them. It goes down to the foundation of our foreign service—the men who are doing the clerical work, the men whose services are indispensable, men who get the facts and know how to get them and bring them to the consul general, to the minister or ambassador.

These men are leaving the service on account of the inadequacy of the compensation. Now this bill only proposes to spend \$378,000 more than the former bill; it will stabilize these conditions, and it will provide also for the \$50,000 that goes into this retirement fund. That is all it costs, and I want to say, gentlemen of this committee, that the money appropriated for this purpose is money that, in my judgment, is money as well expended as any money that we appropriated. Take the consul general's report at London. Every business man from every State in the Union who ships his goods abroad is anxious to get it and examine it. Every rotary club, every commercial organization wants this bill to be passed. Why? Because they want an efficient foreign service and know that it benefits business. They know the United States is a Nation that is dealing with the whole world, and we have to have efficient men and agents who can compete with our great rivals and competitors. The British ambassador's salary, together with his representation allowance, is \$100,000 a year. What do we pay our ambassador to Great Britain? Seventeen thousand five hundred dollars a year. Mr. Davis, formerly a Member of this House, who went over as ambassador to Great Britain, had to tax himself \$20,000 to \$30,000 a year every year he was over there out of his own private means to sustain himself.

Mr. BLANTON. Will the gentleman yield?

Mr. BROWNE of Wisconsin. I do not believe that is the spirit of America, and I do not believe the taxpayers of America want any such penurious policy in regard to the administration of our great foreign service. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. BLANTON. Will the gentleman give him a minute to answer a question?

Mr. PORTER. I will yield the gentleman an additional minute.

Mr. BLANTON. And yet you have not raised the ambassador's salary; but the question I want to ask is this: The gen-

tleman argues that this service is self-supporting, and that is absolutely convincing and unanswerable. But suppose it brought in ten times as much as it does now, would the gentleman advocate our paying that thirty or forty extra million dollars in additional salaries?

Mr. BROWNE of Wisconsin. I will ask the gentleman a question. Would he vote for the doubling up or raising of the salary of the ministers and ambassadors—would the gentleman vote for it?

Mr. BLANTON. No; I would not. I want—

Mr. BROWNE of Wisconsin. I believe when we raise these salaries we ought to begin at the foundation, and I believe in taking the advice of the Secretary of State and those men in the State Department who are experts upon this. They say raise these salaries first. Then, if it is necessary to raise these other salaries, do so. My friend from Texas criticized this bill because no one had any notice of it. Yet he had notice right on his desk that has been lying there since Monday that this program, including this identical bill, would be taken up Tuesday morning. Yet he criticizes us when if he had looked on his table he would have known the program.

The CHAIRMAN. The time of the gentleman has expired. The gentleman from Pennsylvania.

Mr. BLANTON. Mr. Chairman—

The CHAIRMAN. The gentleman from Texas is not recognized. The gentleman from Pennsylvania.

Mr. BLANTON. I do not want a statement about me to go unchallenged.

The CHAIRMAN. The gentleman from Texas has no right to the floor.

Mr. PORTER. Mr. Chairman, I do not care to yield more time, and I ask that the Clerk read.

Mr. BLANTON. Mr. Chairman, I raise a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. BLANTON. I make the point of order that when a Member in debate places a certain statement or action concerning another Member in his mouth that Member has the right to rise and challenge the statement. That is what the gentleman from Wisconsin did.

The CHAIRMAN. The Chair overrules the point of order and the Clerk will read.

The Clerk read as follows:

SEC. 2. That the officers in the foreign service shall hereafter be graded and classified as follows, with the salaries of each class herein affixed thereto: Ambassadors and ministers as now or hereafter provided: foreign-service officers as follows: Class 1, \$9,000; class 2, \$8,000; class 3, \$7,000; class 4, \$6,000; class 5, \$5,000; class 6, \$4,500; class 7, \$4,000; class 8, \$3,500; class 9, \$3,000; unclassified, \$3,000 to \$1,500: *Provided*, That as many foreign-service officers above class 6 as may be required for the purpose of inspection may be detailed by the Secretary of State for that purpose: *And provided further*, That all appointments as foreign-service officers and all promotions from class to class of foreign-service officers shall be made by and with the advice and consent of the Senate.

Mr. STAFFORD. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Wisconsin moves to strike out the last word.

Mr. STAFFORD. Mr. Chairman, in the past several years there have been on different occasions increases in the salaries of our consular representatives, decided increases, ranging, I would say, offhand, from \$1,000 up. There have been no substantial increases in the secretarial force of our Diplomatic Service. I have read carefully the bill and the report.

I recognize the need of increasing the salaries of our clerical force connected with the Diplomatic Service. I have not found any argument, so far, as to the need of increasing radically the salaries in our Consular Service. I have not the figures on hand, but I think there are over 600 in both services combined. Yes; 640, all told, in both services; 120 diplomatic secretaries, and 520 consular officers.

Now, I wish to inquire of the gentleman from Massachusetts [Mr. ROGERS], who has given much close and thorough consideration to this measure, a measure that creditably bears his name, how much turnover there has been in the Consular Service? And further, what increases there will be in the salaries of consular officers? I am speaking generally, not as to the reduction of the salaries of the two consuls general, who are now receiving \$12,000, or those who are receiving the salary of the \$8,000 grade, or the like. I would like to know what increases there will be in the pay of the consular officers, and how much turnover there has been in the past year or two.

Mr. ROGERS. Does the gentleman yield to me?

Mr. STAFFORD. Surely.

Mr. ROGERS. I have in my hand a statement prepared for me by the State Department, and necessarily so, because it is based upon the archives and records of the department that

has been dealing with this matter of turnover for the last 10 years. The average number of separations from the service per year by resignation is about 25.

Mr. STAFFORD. Is the gentleman referring now exclusively to the Consular Service, or to the Consular and Diplomatic Services?

Mr. ROGERS. I am referring exclusively to the Consular Service. Let me give year by year the separations as the result of resignations as distinguished from death or involuntary retirement.

Mr. BRIGGS. Mr. Chairman, will the gentleman yield?

Mr. ROGERS. Yes.

Mr. BRIGGS. Can the gentleman give in that connection the total number of consular officers, so that the proportion will appear?

Mr. ROGERS. Yes; I will give both. In 1913 there were 347 consular officers of all classes, and there were 24 retirements. In 1914 there were 363 consular officers of all classes, and there were 29 retirements. It goes on very much in the same way until the last three years. For the year 1920 the number of consular officers rose to 472, and there were 27 retirements by resignation. In 1921 the comparative figures are 520 on the one hand and 22 on the other. In 1922 the figures are 517 on the one hand and 30 on the other. For the 10 years the average retirements from the service have been 6.25 per cent of the total. In other words, there has been a one-sixteenth turnover on the average for the 10 years.

Mr. STAFFORD. Is there anything in the hearings or has the gentleman any information as to how many of those who have retired have done so by reason of inadequacy of salary?

Mr. ROGERS. Yes. Mr. Carr, in the course of his very extended testimony before the committee, said that he could believe, and he described how, men would withstand business offers for a considerable period, and then the pressure would become so great and the economic requirements become so urgent that they had to yield and go out of the service. If the gentleman will permit, I would like to give an instance from my own acquaintance. I do not like on the floor to mention his name, but I will be glad to give it to the gentleman privately.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. STAFFORD. Mr. Chairman, I ask unanimous consent that the gentleman from Massachusetts [Mr. ROGERS] may have five minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. ROGERS. One of the ablest men we had in the Consular Service for many years told me that he entered the service with a private fortune of \$112,000. He was successful; he was promoted quite rapidly. His salary average for the 16 years or thereabouts that he was in the service was probably higher than that of almost any other man in the Consular Service. He had no children. He was married. He told me that at the end of the 16 years of his service, and with the utmost economy and without display—and I know that was true—he had spent his entire fortune and had to resign in order to leave something for the support of his wife in case he should die.

Mr. STAFFORD. How recent has that been?

Mr. ROGERS. In the last two years.

Mr. STAFFORD. How much have we increased the salaries of consuls in recent years?

Mr. ROGERS. We have increased the salaries of consuls very little in my time of service. We have increased the secretaries more. When I came here the entrance salary of a secretary was \$1,600. It has risen to \$4,000. We have increased the entrance salary now to \$2,500. The objective of a 20-year service has become \$4,000.

Mr. STAFFORD. I can realize that no matter what the salary may be that will be attached to a consular position, nevertheless there will be temptation to consular officers always to accept the more attractive salaries in private employment.

Mr. ROGERS. The Government can not compete with private business in the matter of salaries. All that it can do and, in my judgment, all that it should attempt to do is to try to provide a reasonable living wage for a married man, with perhaps a child or two. That is all that this bill undertakes to accomplish, having in mind the necessary expenditures that an appropriate representation abroad of a great country necessarily involves.

Mr. STAFFORD. How much general increase will this accord to the various consular officers?

Mr. ROGERS. Taking account of a few decreases and of a few cases where there is no change, the average increase throughout the Consular Service as a whole is 14 per cent.

Mr. STAFFORD. The increase of the secretarial force of the Diplomatic Service is greater.

Mr. ROGERS. That is considerably larger, especially at the top, where we are anxious to utilize some of the best men, who now as consuls general get so much larger salaries than do the secretaries of the top classes.

Mr. STAFFORD. A little while ago, while the gentleman had the floor in general debate, I was seeking information as to the total cost that the retirement fund would occasion, and the gentleman gave me some very illuminating information. Since then, looking over the hearings to which the gentleman directed my attention, I find that in 1943, when the retirement fund will become fully operative, the charge imposed on the Government will be something like a half-million dollars yearly.

Mr. ROGERS. Not in 1943. The maximum of a half million dollars mentioned in the testimony will be in 1957. Since the hearings were printed, as the result of independent investigations which I have made I am satisfied that that half-million-dollar figure is too high, and I will tell the gentleman why. That half-million-dollar figure, as the gentleman will see if he reads the language carefully, assumes that every man who enters the service at 30 or 35 years of age will stay in the service until he reaches the retirement age of 65. Obviously that is not true. Men retire from the service, men are dismissed, men leave the service because of disability—

Mr. TILSON. And men die.

Mr. ROGERS. And men die. All those causes will keep a large percentage of the total number of men from ever reaching the retirement age and getting the retirement benefits. I talked this morning with the Chief of the Bureau of Efficiency. He states that while he does not wish to criticize this figure or the basis on which it proceeds, his judgment is that as a practical matter \$400,000 is the maximum which is much more likely to prevail than \$500,000. Out of overconservatism the State Department preferred to lay before the House the larger figure.

Mr. STAFFORD. I ask unanimous consent to withdraw the pro forma amendment.

The CHAIRMAN. Without objection, the pro forma amendment will be considered as withdrawn.

Mr. TOWNER. Mr. Chairman, I move to strike out the last word.

I think the House of Representatives and the Congress of the United States are under a very great obligation to the chairman and to the membership of the Committee on Foreign Affairs for the long-continued and hard work and the great care and, in my judgment, the rare wisdom that they have displayed in the presentation of this legislation. Still more do I believe that the people of the United States are under obligation to these men. Nothing is more required in better service, nothing is more needed in the securing of men of ability and efficiency in the employment of the Government than in our foreign service. With a world in turmoil, with all the conditions, both political and economic, displaced and in flux, this is the time above all other times when the United States needs men of character, of wisdom, of education, of efficiency, in the foreign service.

I have heard the criticisms that have been made upon this bill. I have been surprised at the fact that not one of them seems to be well founded. First of all, always comes the question that it costs more money to secure good service. Of course, we all realize that; but we ought to realize that as a concomitant of that we should secure good service if it does require more money. But in this particular case we are met with the fact that in the Consular Service and in the retirement proposition contained in this bill, very largely they are self-supporting, or will be. We are also met with the fact that there is not a large increase.

When we come to examine into the particular benefit and advantage that there is in the rearrangement proposed in this bill, I think no man ought to hesitate about giving it his cordial support. We have here not an aristocratic proposition, as some gentlemen seem to believe. We have here, more than ever before in the service, a democratic proposition, by which not the few rich who can go into the service, no matter what the financial requirements may be, shall be called and shall serve, but holding out to a young man of ambition, no matter what his pecuniary condition may be, the prospect of distinction in the service, if he enters it, and an assurance that he will not be required to leave it in a position in which his family will be dependent upon some other resource.

There has never before been presented a better opportunity for the young man to go into the service of the Government assured that there is an opportunity for his best effort and the

assurance that it will be well considered by his country. That opportunity is now given by this bill.

Mr. Chairman, I desire especially to commend the proposition, embodied in this bill for the first time in our history, that there shall be not an amalgamation or a consolidation of the Diplomatic and Consular Services but that there shall be an opportunity afforded by the Government to transfer from one service to the other as occasion may require.

Mr. Chairman, particularly at this time when we want to secure a larger foreign market, when upon the Consular Service we must depend for information, for advice, and those good offices that will procure and extend our foreign trade—now at this particular time the Government ought to call to the service the very best men that can be given to such service. It is suggested that it is not for the benefit of the farmer. I believe, Mr. Chairman, speaking moderately, that there is hardly anything that could more benefit the farmer than the improvement of the Consular Service of the United States. I believe that the farmers of the United States believe that in the enlargement of their market they must depend on men who are qualified for the service that will be effective in their interest, and so, representing, as I do, an agricultural community, I want to give in the interest of my particular constituents my unqualified approval of this legislation. [Applause.]

Mr. HUSTED. Mr. Chairman, I rise in opposition to the pro forma amendment. I want to be permitted to congratulate the Committee on Foreign Affairs for bringing in this splendid piece of constructive legislation, which, I believe, marks a very important stage in the progress of lawmaking for the development of our foreign service. The money that we expend for the Army and for the Navy in peace times is largely in the nature of insurance. It is to protect the Government against what may happen, against which we must provide adequate safeguards. The money that we expend for our foreign service comes back to us over and over again in direct and indirect benefits. There are some people who think that our foreign service, especially the diplomatic branch, is chiefly ornamental. That charge never was entirely true, and it is less true now than ever before. The functions of our diplomatic officers are becoming less and less political and more and more commercial.

Our foreign service has developed greatly since 1914. I think it costs about three times as much now to maintain it as it did then. That was partly due to the activities of the war and partly to the creation of new nations by the treaty of Versailles, necessitating the appointment of more consular and diplomatic officers. But it was chiefly due to the effects of the war upon the financial and economic condition of the nations and the creation of a tremendous competitive spirit which has made it necessary for us, if we are to hold our own with other nations who are looking for business, to maintain a thoroughly efficient foreign service. It should be equal to that of any other nation in the world.

We have a fine Consular Service now, and we have an excellent Diplomatic Service, but in the Diplomatic Service opportunity is practically denied to a poor man. It is a service in which the rich man only can enter, because rich men only can meet the expenses which fall upon our diplomatic officials. Now, that is lamentable, and it ought to be corrected, and it is one of the main purposes of this bill to correct it. It is one of the main purposes of this bill to so adjust the salaries that a young man of moderate means can enter the Diplomatic Service and make it a career. For example, a first secretary at London is compelled by diplomatic usage to maintain a residence where he can entertain, and he is required to have a motor car and a chauffeur. It is evident that a diplomatic secretary can not maintain a residence where he can entertain and a motor car and do all the other things necessary to uphold his position on a salary of \$4,000 a year. This bill, if it becomes law, will accomplish a great deal, but I believe there is one other thing which we ought to do to enable our Diplomatic and Consular Service to reach the highest point of efficiency. I believe we should have a diplomatic and consular school in the State Department. We maintain at Annapolis a school that we may have efficient naval officers. We maintain a military academy at West Point in order that we may have efficient Army officers.

Mr. BROWNE of Wisconsin. Will the gentleman yield?

Mr. HUSTED. Yes.

Mr. BROWNE of Wisconsin. Does not the gentleman know that the colleges and universities have courses in foreign service for that purpose? Georgetown and most of the universities have courses of that kind.

Mr. HUSTED. Some have courses in diplomacy, but that is also true so far as military instruction is concerned. Nearly

all the colleges to-day give instruction in military subjects, but we would not think of abolishing West Point and we do not consider abolishing the Naval Academy at Annapolis. I say it is just as important, and I believe it is far more important, to maintain a school where we can train men to be consuls and diplomatic officers as it is to maintain military and naval academies. The work is highly technical and the best instruction can be given in the State Department by our own consuls and diplomats.

Mr. MOORE of Virginia. Will the gentleman yield?

Mr. HUSTED. Yes.

Mr. MOORE of Virginia. Does not the gentleman think that notwithstanding the fact that some of the universities and colleges have these courses that provision should be made for training these men in the very business they will have to engage in?

Mr. HUSTED. I certainly do think so. Something is being done in the colleges, but I believe it could be done much better here at Washington and at very small expense. We have in the State Department the men who could be the teachers. The classes would be comparatively small. I do not believe there would be more than 25 or 30 men in a class. We would not have to employ additional instructors. The men are right here at the head of the various bureaus and divisions in the State Department. We have the economists and technical experts ready at hand. This is an easy, inexpensive, and practical way to secure a body of highly trained men who are needed in the field to advance the commercial and political interests of the United States. There is no other way, in my opinion, in which the results can be obtained as quickly or as well.

Mr. Sisson. Mr. Chairman and gentlemen of the House, I had not intended to say anything on this bill, but this is one bill that is like one of which several years ago, when it was brought on the floor of the House Mr. Mann, of Illinois, said, "Why, that old gentleman has been knocking around the halls of the Capitol here for a good many years, and you ought to have shaved him before you brought him on the floor."

However, involved in this discussion is a proposition that has not been discussed at all, which I think the House ought to take into consideration. In the first place, the commercial attachés that have been established within recent years are worth infinitely more to the business of the country than all of the so-called consular and State Department activities.

Mr. TEMPLE. Mr. Chairman, will the gentleman yield?

Mr. Sisson. Yes.

Mr. TEMPLE. The gentleman spoke of this bill or one like it having been introduced several years ago. I should like to have information as to when that was. I have been a member of the Committee on Foreign Affairs for 10 years, and I have investigated the work of the committee for a number of years before that time. I do not remember that there was ever a bill before that committee for this purpose.

Mr. Sisson. I do not believe it was exactly for the same purpose. I may be mistaken about that, but it was for an increase in the Diplomatic Service anyway. However, there is no need of getting into a controversy about that, because it was said only as a pleasantry.

Mr. TEMPLE. And the gentleman could edit it out of his remarks.

Mr. Sisson. Oh, I shall act upon that as I deem best. I do not intend to let the gentleman from Pennsylvania either edit my remarks or do my thinking for me. The commercial attaché has been the individual who has done the business of the country some good. I have never been an advocate of dollar diplomacy. I believe our Diplomatic Service abroad should be kept separate from our business.

The English had engaged for a long time in the consular drummer. After the American Government established the commercial attachés, the English Government sent a commission here to investigate the commercial attaché system, and they have practically adopted our system in England. I know that there are some people who want to convert every minister and all our consular officers into nothing but business getters, but there are frequently delicate matters rising between nations that are such that if the State Department were to engage in the business of hustling for business in competition with another nation, it might bring about feelings that are not conducive to peace and to the good relations that should exist between nations. The commercial attachés are looked upon and recognized as the Government's drummers, as the Government's business agents, and rather than increase this service through this bill, rather than increase the political end, I would infinitely rather increase the salaries and the number of the commercial attachés, because they can very much

better transact that sort of business than can the political branch of the Government. If the consular agent is to transact business for the Government, he is also constantly engaged in certain political correspondence. These, in my judgment, ought not to be mixed. A great deal has been said in the last few years about dollar diplomacy. The gentleman who took his seat has talked about dollar diplomacy, and he wanted the State Department to perform more of the functions of business than to look after the political end of the thing. I think you make a mistake when you do that. There was an effort made to circumscribe the commercial attachés by cutting down appropriation, and the then chairman of the Committee of the Whole, which was considering the matter, and I think he was technically correct, ruled the matter out of order. An appeal was taken from the decision of the Chair by a gentleman from New York, and the Chair was overruled and the commercial attachés were put back into the bill. Why? Because the business elements of the country, from San Francisco to New York and from Chicago to New Orleans, were up in arms against a curtailment of this service that had done so much good.

The CHAIRMAN. The time of the gentleman from Mississippi has expired.

Mr. Sisson. Mr. Chairman, I ask unanimous consent for three minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. Sisson. Personally, I would infinitely rather that this money be expended in increasing the commercial attachés whose business it is to go out and get business, whose business it is to find out first what the market is, and second, in what sort of shape the goods shall be in order to be sold in the foreign market. Take, for instance, the Chinese and Japanese market for various kinds of cotton must be understood by us.

The goods that would suit the European countries would not at all suit the fashions and styles of the Orient, and the commercial attachés have sent the samples of goods back to the various factories, and they have given the factories the facts and figures about the number of yards of cloth of a certain character which will probably be sold in certain markets in the Orient, and the result is that the manufacturing establishments of the United States are enabled to send traveling men into those countries and sell their goods. You have to know first what a country will take, and the manufacturers are willing then to put their money into the business. So when this effort was made to curtail the expenditures for commercial attachés the whole business of the United States was up in arms, and the influence was felt in every congressional district in the United States and was reflected on the floor of the House when the ruling of the chairman was overruled. Rather than have this character of legislation, rather than have an increase in the appropriation, which means an increase of dollar diplomacy, I would infinitely prefer to have this money expended in the enlargement of the commercial attachés and of their activities.

Mr. SEARS. Mr. Chairman, the gentleman's attention was called to the fact that this is a new proposition. In reading the report I find that this bill is practically the same as H. R. 12543, introduced in 1922, and that H. R. 12543, as stated by Secretary Hughes, is almost identical to H. R. 17; so that it must have been before the committee before. I do not know when H. R. 17 was introduced, but it was prior to August, 1922; and this clearly shows this question has been before the committee before, and that you were correct in your first statement.

Mr. Sisson. Yes. I have not gone into detail about it, and my recollection about the bill that Mr. Mann had reference to was just slight. The thing that called it to my mind at all was that Mr. Mann said that it should have been shaved before it was brought in.

Mr. TEMPLE. Mr. Chairman, before I begin what I wish to say, I desire to revert to the two bills which have been discovered by the gentleman from Florida [Mr. SEARS], who just interrupted the gentleman from Mississippi. They are earlier forms of this bill introduced not in a former Congress but in this Congress, and the second and third forms were introduced after some work had been done in revision of the bill, either by its author or by the committee itself. It is all one bill. That which was introduced some years ago, to which the gentleman from Mississippi refers, was the bill, I think, which provided for the purchase of embassies and legations in foreign countries, an entirely different matter, having nothing to do with the reorganization of the Diplomatic and Consular Service.

Mr. LINTHICUM. If the gentleman will yield, does not the gentleman think he really had in mind the act passed in 1915, which is now the law under which we are operating?

Mr. TEMPLE. That increased some salaries but did not provide any general reorganization.

Mr. LINTHICUM. No; but it provides certain appointments in the Diplomatic and Consular Service.

Mr. TEMPLE. But certainly not coordinating the two foreign services.

Mr. LINTHICUM. It did not.

Mr. TEMPLE. I have been somewhat interested also in what the gentleman from Mississippi has said about "dollar" diplomacy. He is very much in favor of increasing the number of commercial attachés and increasing the appropriations in a way that would add to their efficiency. But to what would the attachés be attached if there were no Diplomatic and Consular Service? The commercial attaché, the military attaché, the naval attaché are useful. There is no doubt about it.

The commercial attaché collects information which is of use to the American business man, furnishes him information that may increase our exports or our imports, but the work of the commercial attaché would be of little use if it were not for the work done by the Diplomatic and Consular Service. International trade is carried on under treaty agreements, and you can not have it without having a diplomatic foundation. When we come to the actual business of the Government in connection with international trade, there is no way of handling it except through the consular office. We might appoint commercial attachés until we would expend money on them equal to the whole amount appropriated for the Diplomatic and Consular Service, but we must do business with foreign countries in the way the foreign countries will permit, just as they do business with us in the way that we permit. The way that has grown up in the experience of the world is through the foreign offices, which correspond in other lands to what in our country is called the State Department. The diplomatic and consular services provide the only way the world recognizes for carrying on this foreign intercourse. We can not modify the customs of the world by an act passed by the American Congress, for our jurisdiction is limited to our own territory and ships.

Mr. NEWTON of Minnesota. Will the gentleman yield?

Mr. TEMPLE. I will.

Mr. NEWTON of Minnesota. To illustrate that point, it is my understanding that when the commercial attachés were first sent to London they had an office independent from that of the diplomatic office, and they found themselves absolutely compelled to tie up with the diplomatic office, because nobody was looking for or finding them out, and did not expect them in any place except the diplomatic office.

Mr. TEMPLE. It is the only way that their official character can be made known effectively to foreign governments. Now, "dollar diplomacy"; that phrase has been used as a term of reproach or to ridicule the use of diplomatic representatives in the interest of business. Before I discuss "dollar diplomacy" I want to say I do not accept the doctrine of economic determinism which lies at the foundation of so much socialistic philosophy, but, after all, what is the principal occupation of mankind? Earning a living. Men are selling their services making things with their hands, selling the goods that they produce. Eight hours a day, 10 hours a day, 12 hours or 15 hours a day, what are men doing? Earning a living, doing business. That which occupies so large a portion of our time is certainly worthy of attention, and when we come to doing business with foreign peoples, earning a living by dealing with foreign markets, we have to do it through the foreign office.

Mr. ABERNETHY. Will the gentleman yield?

Mr. TEMPLE. I will.

Mr. ABERNETHY. What is the per cent of the salary allowed on retirement?

Mr. TEMPLE. I am not discussing that question just now. The gentleman will find it in the tables.

Mr. ABERNETHY. It is not in the tables.

Mr. TEMPLE. Here are the hearings.

Mr. ABERNETHY. I thank the gentleman; I did not mean to interrupt his speech.

Mr. TEMPLE. There is absolutely no reason for treating dollar diplomacy with contempt. As I say, 8 hours, 10 hours, or 12 hours a day are spent in earning a living, in earning dollars. Why? Because we want to use them. We may use them in purchasing the things that satisfy our ordinary physical wants; we may use the surplus in charity or in promoting religion. Whatever we may consider the noblest occupation of our time, most of us have to spend the greater part of our waking time in merely earning a living, and perhaps a little more which may be devoted to these nobler aims. That part of the business of earning a living which is done with foreign peoples is arranged for by the machinery of the Diplomatic and

Consular Services. When they negotiate commercial treaties, that is dollar diplomacy. Every American diplomatic and consular officer should be an attorney for the United States, attentive to the business of the American people. We want to put this service on a basis that will make it the equal of the service of our competitors, our customers, those from whom we buy, those to whom we sell. The world is more and more coming together. We are next-door neighbors to everybody everywhere. What is the reason now that we in this country find ourselves commercially economically in trouble?

What is the matter with the business of the country? One thing is that the whole world has been turned upside down; 15,000,000 men dead in the war, of battle deaths and disease; \$350,000,000,000 of capital blown to bits. Russia used to export a great deal of wheat to western Europe; hardly any now. Why is not Europe a better market for our wheat than it was before the war? Because the destruction of men and of capital and the upset of business organization in Europe is such that those people can not buy. We can not sell to people who can not buy. But if there is to be a restoration of the economic system of the world, if business is ever to get good again, we want to be on the ground not only to participate in the benefits that come from it but to aid in the restoration. Our Consular Service and our Diplomatic Service—our foreign service when the two have been made one—may be one of the most efficient agencies, and one of the ways through which the United States can most effectively exert its influence for the reconstruction of a shattered world. [Applause.]

Mr. GREENE of Massachusetts rose.

The CHAIRMAN. The gentleman from Massachusetts is recognized for five minutes.

Mr. ROGERS. Mr. Chairman, I ask unanimous consent that all debate on this section and all amendments thereto be closed in five minutes.

Mr. ABERNETHY. Mr. Chairman, I want five minutes in which to answer the gentleman from Pennsylvania [Mr. TEMPLE] over there. I do not think I shall want more than five minutes.

Mr. ROGERS. Then, Mr. Chairman, I make it 10 minutes.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent that all debate on this section and all amendments thereto be closed in 10 minutes. Is there objection?

There was no objection.

Mr. GREENE of Massachusetts. Mr. Chairman, I have listened to this debate with a great deal of pleasure this afternoon, because I find both sides of the House are in favor of our country entering into foreign trade and endeavoring to establish foreign trade by stabilizing the Department of State, increasing the salaries of various employees, and providing for greater influence of the Department of State so that the United States might occupy a position in its dealings with world affairs among foreign nations commensurate with its standing as a great commercial Nation and holding a leading position on the Atlantic and Pacific Oceans not excelled by any other nation.

After this Congress came together, when the President called us into special session in November last, he intimated to us that it was necessary for us to pass legislation that would permanently establish an American merchant marine. The Committee on the Merchant Marine and Fisheries brought the bill up in this House, and after three days of general debate and two days of discussion under the five-minute rule the House of Representatives passed the bill in this body by 54 majority. That bill should have received 300 majority; in fact, there ought to have been no votes cast against it. If the membership of this body had talked as sensibly then as they do now, there would not have been many votes cast against the bill providing for an American merchant marine, and we should have had the bill enacted into law long since. The bill was sent to the Senate. At once there was a bloc made against it. What sense was there in having a bloc? Can anybody give any sensible reason for it? Nothing in the world but inexhaustible wind; that is all it was. [Laughter.] Every sort of proposition was brought up there in opposition; people commenced to bring in objections and to propose something new to take up time.

When I listened to what has been said here to-day on both sides of the aisle, with no dissension on the Democratic side, no caucus has been held on the bill we are considering to-day. I recall the fact that when the merchant marine bill was reported the Democratic Party held a caucus to determine their course and bound their own people, as far as they could, to be against a merchant marine. A merchant marine is as essential as this increase in our foreign service for foreign business. You say, "We want foreign business." I ask, "How are you going to get it?" Do you mean it in your innermost souls that you want to extend the foreign trade of the United States?

I am not opposed to this bill; I believe in it; I believe fully in it. I recognize that the bill that has been prepared and presented to you to-day is one of the best bills ever brought before the House, and it is shown by the fact that it comes on a non-partisan line. If there is any one bill that ought to have been considered in this House on a non-partisan line it is the bill for keeping the American flag on the sea—the shipping bill. Why should we for one minute think of pulling down the American flag? Why should we refuse to maintain it? Why should we want to foster trade abroad, why should we want to talk about increasing our trade abroad, and then stab the only instrument that can increase our trade abroad, the shipping bill now pending in the Senate? We now have an American merchant marine. It was first established under the rule of the Democratic Party. They built up this merchant marine at an immense cost. Now, they propose to throw it away, and they find many men on the Republican side who seem to agree with them. I can not understand it. I have been trying to get it through my head, but I can not.

I am glad I stayed here this afternoon to listen to these remarks on this foreign service bill, because I find that there is a unity of feeling concerning it on both sides of the aisle. Partisanship seems to have disappeared. The only thing they are partisan on, over on the Democratic side of this House, is against the American flag. There it hangs, above the Speaker's chair. We once had a well-established merchant marine. Who destroyed it? The British Government destroyed it from 1861 to 1865 when they endeavored to separate this Nation, the North from the South. Why is this fight in endeavoring to destroy the flag on the sea? What is the purpose in trying to keep the flag off the sea? I have been trying to get it through my head. Usually my head is pretty clear, but I am beginning to think that I am thickheaded. [Laughter.]

My gracious, I can not understand at all the Democratic side of the House, which is so anxious now to spend money to build up trade, to do everything else they can do. But they do not want us to interfere with England. I do not care what country you interfere with. Stand by the United States. We are the next country to England in the foreign trade. Why should we surrender a single rag of what we have in our merchant marine to-day and hand it over freely and with joy to our greatest enemy in the world trade?

Mr. LINTHICUM. Will the gentleman yield for a question?

Mr. GREENE of Massachusetts. Yes.

Mr. LINTHICUM. Does the gentleman recollect that there were 24 Republicans who voted against that bill and 23 Democrats who voted for it?

Mr. GREENE of Massachusetts. I do not know how many there were who voted for it.

Mr. LINTHICUM. Twenty-four Republicans voted against it and 23 Democrats voted for it.

Mr. GREENE of Massachusetts. I am very sorry for the thickheadedness of the Republicans who voted against it, and I am very glad for the intelligence of the Democrats who voted for it. [Laughter.]

Mr. BLANTON. It is the gentleman's own party now who are holding up that bill in the Senate.

Mr. GREENE of Massachusetts. Oh, no; do not tell me that.

Mr. BLANTON. Has not the gentleman's party a majority in the Senate?

Mr. GREENE of Massachusetts. That has nothing to do with it. They have no rules there for the transaction of business, but they may act on the shipping bill before the 4th of March.

Mr. BLANTON. The gentleman will be guilty of lese majesty if he does not look out.

Mr. GREENE of Massachusetts. Do not you worry about me. I can take care of myself and take care of the rest of you besides. [Laughter.] If there were 23 Democrats who voted for this bill, thank God there were 23 intelligent Democrats, and I am disgusted with every Republican who voted against it, for no one had any reason to vote against a bill providing for keeping the American flag on the sea, because one must realize that the withdrawal of competition means an increase in freight rates to the farmer and to the American consumer.

Mr. SEARS. I see by the press that perhaps the President will ask the Senate to lay aside the ship subsidy bill and take up the foreign debt refunding bill.

Mr. GREENE of Massachusetts. Oh, you can read anything you want to in the newspapers. I do not want to waste my time on any such nonsense as that. Never mind what the newspapers say. [Laughter.] I have read the newspapers a great deal in my life, and I read both sides, too. When I see a statement that has no sense in it, I do not pay any attention

to it. Once in a while you will find a paper on the Democratic side that has got a little good sense, and if you would read the newspapers that publish decent material about the American merchant marine, instead of 23 Democrats coming over and voting for that bill, there would be more than twice that number.

Mr. SEARS. It was a Republican paper in which I read that.

Mr. GREENE of Massachusetts. Never mind what you read it in. There is no excuse for any living man in this body voting to strike down the American flag on the seas. [Applause.] I do not care whether a man is on this side of the aisle or on the other side, he ought not to do that. There is no reason in the world for any Member of this body trying to destroy American commerce. There is no reason in the world why anyone should not do all he can to build up an American merchant marine. I believe another opportunity will be given you to vote on the bill to establish the American merchant marine before this session closes. [Applause.]

Mr. ABERNETHY. Mr. Chairman and gentlemen of the committee, I know of no way in which a Member of this House can get information about a bill if he is not a member of the committee which has considered the bill, unless he asks questions and seeks information from members of the committee who have charge of the bill or unless the report of the committee or the hearings disclose the information. A while ago the distinguished gentleman from Pennsylvania [Mr. TEMPLE], in a very abrupt manner and I think in a very undignified manner, if he will permit me to say so, when I asked him a simple question for information about a matter that concerns a great number of Members of this House, referred me to a pamphlet. I do not know why he referred me to that pamphlet unless he knew as little about it as I did, because I have not found anything more from the pamphlet than I knew before. I read this report with a great deal of care, and I still do not know the basis of percentage upon which this retired pay is computed. As I understand, we are asked to take \$325,000 out of the Treasury and give it to certain employees of the Consular Service. I was seeking information, and I am still seeking information. I believe that the employees of the Consular Service should be paid enough to put them beyond the realm of temptation, and that they should be on a parity with the employees of the consular service of any other nation in the world, but I can not sit here as a Member of the House and vote in the dark, and I do not propose to do so; and unless I have more information on this subject I am going to vote against this provision of the bill, because I am here as a Representative of the people, and I propose to know what I am going to vote about, and I know of no other way to find out unless I ask some Member in charge of the bill to give me that information when the report and the hearings do not disclose the information desired. When I ask that Member for information I do not think it is fair to a new Member that I should be practically insulted in the way that the gentleman from Pennsylvania spoke to me a while ago.

Mr. TEMPLE. Will the gentleman yield?

Mr. ABERNETHY. I do.

Mr. TEMPLE. I am very sorry that the gentleman thought I meant to insult him. I did not. I was discussing, under the 5-minute rule and under the 5-minute limit, a matter in which I was interested, which I wished to present to the House. The gentleman interrupted me with a question as remote from the thing I was discussing as the North Pole is from the South. I said that I was discussing another question, and I handed him the hearings which contained the information that he asked for.

Mr. ABERNETHY. I will admit, gentlemen of the committee, that a new Member does not have much opportunity here to get information unless he just breaks loose and asks for it.

Mr. ROGERS. Will the gentleman yield?

Mr. ABERNETHY. In just a moment. I am a new Member of this House, but I at least have a few gray hairs on my head and have had a little experience before I came here, and I came here with an honest intent and an honest effort on my part to represent my people and to represent this country as well as I could with the lights before me. As long as I stay here I am going to vote intelligently if I know how to, and I do not think that Members who have had long experience should deal with a new Member in such a manner as the gentleman from Pennsylvania undertook to deal with me a while ago.

Mr. ROGERS. I just want to say, if the gentleman will allow me, that I answered every question that was asked me in general debate—

Mr. ABERNETHY. I was not referring to the gentleman from Massachusetts.

Mr. ROGERS. And I will be very glad indeed to answer any question which the gentleman may have in mind.

Mr. ABERNETHY. A number of us would like to know about this retirement feature. You are asking us to vote on the retirement of these consular employees. We would like to know the percentage of the pay that a man will receive when he retires. In the Army and Navy they get a certain percentage of their active pay when they retire, and the answer to this question might determine how we should vote. I had made up my mind to vote against the bill until I heard the distinguished gentleman from Virginia [Mr. MOORE]. Then I came to the conclusion to support it, but, certainly, if we are going to be asked to vote large sums of money without knowing for what we are voting, you can not expect us to do so. The statement made on the floor is that this will cost \$325,000 from the Treasury, and if we do not have the information we seek how do you expect to carry the bill through the House?

The CHAIRMAN. The time of the gentleman has expired, and the Clerk will read.

The Clerk read as follows:

SEC. 3. That the official designation "Foreign Service officer," as employed throughout this act, shall be deemed to denote permanent officers in the Foreign Service below the grade of minister, all of whom are subject to promotion on merit, and who may be assigned to duty in either the diplomatic or the consular branch of the Foreign Service at the discretion of the President.

Mr. SEARS. Mr. Chairman, I move to strike out the last word. One good effect of this bill is that it changes the designation "Diplomatic and Consular Service of the United States" to "Foreign Service of the United States," and therefore avoids some criticism, that we have had heretofore, that we have lost our diplomacy. But that is not the point I wanted to get at. I would like to ask the gentleman from Massachusetts how many of the officers under this bill are over the age of 60.

Mr. ROGERS. I can not tell the gentleman how many are over the age of 60, but I can tell him that there are 35 over the age of 65, which is the age of retirement.

Mr. SEARS. Under this bill there are 35 now over the age of 65?

Mr. ROGERS. Yes; who will automatically be separated from the service.

Mr. SEARS. And receive retirement pay?

Mr. ROGERS. Unless in the discretion of the President they may be retained until they are 70.

Mr. SEARS. I know; but they probably will be retired when the age of 65 is reached. That is the usual custom. The gentleman does not know how many in the classes of 1, 2, 3, 4, and 5, and so forth, there are over the age of 50?

Mr. ROGERS. I have not segregated by age the 640 members of the present foreign service. I think, however, I can get that information for the gentleman by Thursday.

Mr. SEARS. Does not the gentleman think it would be well to incorporate in this bill some language which will prohibit the appointment of any person over the age of 50 to any position in the foreign service? I would like myself to make it 45 years, if the retirement feature is to remain in the bill; but I know this can not be done.

Mr. ROGERS. That is in the law and that law is carried in this bill.

Mr. SEARS. So that nobody over the age of 50 can be appointed under this bill?

Mr. ROGERS. That is true.

Mr. SEARS. It has been shown that this bill will cost the Government \$340,000, and no one seems to know how much additional the retirement section will cost, at least more than we are now spending, but I have learned since I came here that the way to economize is to spend, and the way to carry out our political pledges of economy and a reduction of taxes is to increase the cost of running the Government. Therefore, while I am deeply interested in the success of every branch of our Government, I can not support this measure unless a great deal of additional information as to the total estimated cost to the taxpayers and the urgent need of this legislation at this particular time is given me.

We talk very much about economy, but when it comes to the final vote we find ourselves voting for most any increase that comes along. By that I do not intend to convey the idea that I would have any man underpaid. Certainly the gentleman should give us that information before we vote on the bill so that we may know what it will cost this Government. Whether it will cost half a million or a million dollars as stated by the gentleman from North Carolina, who just preceded me, and not have us vote for something about which we know practically nothing.

Mr. ROGERS. Mr. Chairman, I ask unanimous consent that all debate on this section and all amendments thereto close in eight minutes.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent that all debate on this section and amendments thereto close in eight minutes. Is there objection?

There was no objection.

Mr. NEWTON of Minnesota. Mr. Chairman, I merely want to express my own appreciation of the work that the committee has put upon this bill which, to my mind, seems to be one of the most important measures that has been considered during the two terms I have spent in Congress. I want to ask the gentleman from Massachusetts a question in reference to section 3. We have in the State Department a number of men, I do not know how many, who are skilled in foreign affairs, but I do not think they would be included in the term "foreign service." I refer to men who are in the office of the solicitor, to the head of the Diplomatic and Consular Bureau, and other positions of that kind. They are not in the foreign service. Is that correct?

Mr. ROGERS. They are in the foreign service only when they are here on a maximum detail of three or four years from the foreign service. The men who are permanent here, like Mr. Carr, Director of the Consular Service, and Mr. Castle, Chief of the Division of Western European Affairs, and some others, are not in the foreign service and will not be either benefited or injured by this bill.

Mr. NEWTON of Minnesota. Has the gentleman any approximate idea of the number of those who are the heads of departments, or subheads, who are in the State Department in that way and who are really a part of our foreign service, who are under this bill made a part of this foreign service?

Mr. ROGERS. Counting the various men who are classed as drafting officers in the Department of State, I think there may be 30 or 40 who I assume would be included in the gentleman's question.

Mr. NEWTON of Minnesota. Personally, it has always seemed to me that men of that type are merely part of our foreign service, and I had been in hopes that some of that type would be provided for in legislation of this character.

Mr. ROGERS. The gentleman will note that in section 5 we have made a partial beginning to an accomplishment which apparently he has in mind. We provide that appointments to the foreign service may be made after five years of continuous service by transfer from the Department of State. That would permit such a man as may be the head of a bureau in the department and who has served there for a period long enough to make one sure that his appointment was not a mere political subterfuge, to be transferred to the foreign service on equal terms with men who have been in the foreign service all of the time. That is a good stepping stone.

Mr. NEWTON of Minnesota. I think so. At the present time the Undersecretary of State is what is known, as I understand it, as a "career" man and was transferred from an embassy position to that of Undersecretary of State. What would be his status under the provision limiting the period that an officer of the foreign service could come here and be in the State Department?

Mr. ROGERS. Assuming that when the present Undersecretary of State was appointed this bill had been a law, he would have lost his foreign-service status altogether by accepting the position as Undersecretary of State.

Mr. NEWTON of Minnesota. What about his wanting to go back into the service?

Mr. ROGERS. Then he could be reappointed to the foreign service, but he would have to take his chances on that.

Mr. NEWTON of Minnesota. This bill would in no wise interfere with the transfer of men to positions of great importance in the service here?

Mr. ROGERS. It would not interfere. It would not change the present situation.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. LANHAM. Mr. Chairman, I notice that subdivision (a) of section 16 provides as follows:

The age of retirement shall be 65 years: *Provided*, That the President may in his discretion retain any foreign service officer who has reached the age of 65 years for such period not exceeding five years as he may deem for the interests of the United States.

I recall that when the retirement act which had to do with the Railway Mail Service was passed there was a provision in that act that those men should be retired, as I remember it, at the age of 62 years. Then there was a provision that if they were in mental and physical health and vigor at that time they might be retained for an additional two years. There was also

similar provision made for another period of two years after that. Executive orders were issued, however, which practically abrogated both the letter and the spirit of that law, and those men were arbitrarily retired, in many instances, I think, to the impairment of the service. I know one or two cases came under my own personal observation of men who had been long in the service, still active and vigorous, but who were displaced despite the fact that their positions could not have been filled by men more competent or industrious. I wish to ask the chairman if he thinks there is any likelihood of a repetition of that practice in this instance, or will the plain terms of the measure be safeguarded by the provision that the President of the United States will be the one who shall determine that matter? Is it anticipated that this provision in this law with reference to five years will be no more operative than the two periods of two years each which we provided for in the retirement act that had to do with the Railway Mail Service?

Mr. ROGERS. Of course, it is purely a matter of speculation as to what some future public official, whom we do not even know, may desire to do. If a man is in the foreign service and is a good man, I think he will be retained after he is 65 years of age, because he is a hard man to replace from the bottom, because of his peculiar characteristics. In other words, from my experience with the way in which the State Department has exercised discretion in these general fields in the past, my guess is that we shall have a fair operation of this law.

Mr. LANHAM. I anticipate that, but I should not like to see the legislative intent abrogated in the same way it was in the Railway Mail Service, to which I have referred, and I trust it will not be done in this instance if this bill passes.

The CHAIRMAN. The time of the gentleman from Texas has expired, and the Clerk will read.

The Clerk read as follows:

Sec. 4. That foreign service officers may be appointed as secretaries in the Diplomatic Service or as consular officers or both: *Provided*, That all such appointments shall be made by and with the advice and consent of the Senate: *Provided further*, That all official acts of such officers while on duty in either the diplomatic or the consular branch of the foreign service shall be performed under their respective commissions as secretaries or as consular officers.

Mr. BLANTON. Mr. Chairman, on page 2, line 18, I move to strike out the words "in the Diplomatic Service."

The CHAIRMAN. The gentleman from Texas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BLANTON: Page 2, line 18, strike out "in the Diplomatic Service."

Mr. BLANTON. Mr. Chairman, on January 24, 1920, when the diplomatic bill was before the House, on points of order made by myself and by the gentleman from North Carolina [Mr. KITCHIN] \$650,000 was knocked out of the bill as being increases not authorized by law. One hundred and thirty-eight thousand dollars was knocked out on such points of order as being increases in salaries alone. Most of the \$650,000 was for post allowances. The distinguished gentleman from Pennsylvania [Mr. PORTER] and the distinguished gentleman from Massachusetts [Mr. ROGERS] prevailed upon the Committee on Rules to bring in a rule making all of those items in order. So, on Monday, January 26, 1920, the distinguished gentleman from Pennsylvania, in order to restore the items into the bill, would offer amendments placing them all back in the bill. So, back in 1920 there were \$650,000 increases for post allowances and \$138,000 were increases for salaries alone for the diplomatic offices. Now, concerning those increases, I want to show you what the then distinguished Democratic leader on this floor [Mr. KITCHIN] at that time said. I read from the RECORD, page 2070, of January 26, 1920:

Mr. KITCHIN. The only reason in the world which the Secretary of State gives is to enable these secretaries of the ambassadors to go into good society, into "tango" and "ko-tow" society. [Laughter.] He says here in the report:

"As the lieutenants of the ministers and ambassadors, the secretaries must be able to mingle with all classes of people and associate upon a plane of equality with the members of the highest social and official circles of the capitals in which they are located."

Mr. JOHNSON of South Dakota. Mr. Chairman, will the gentleman yield?

Mr. KITCHIN. Yes; I will yield.

Mr. JOHNSON of South Dakota. Is not that caused by the fact that the social standard was set so high by the members of the peace commission and the social dignitaries that went to Paris? [Laughter.]

Mr. KITCHIN. That is possible; it is very possible that the committee has anticipated that, and taken care of it. But Mr. Lansing does not ask for it, except to permit these secretaries to meet and mingle socially with the kings and queens and monarchs, the princes and princesses, and the lords and ladies of Europe, and have them tango and ko-tow around with royalty; not to perform their duties in office. [Laughter.] It may be that that is where the gentleman from Massachusetts [Mr. ROGERS] gets the idea in his head, which he expressed on Saturday, that the American ambassadors are really figureheads; that they do not do anything except do the society act, and the secretaries have been doing the work. Now, the Secretary of State wants the secretaries to do the "society act" and let the ambassadors work. [Laughter.]

So there were increases then; and this has been the pet ambition of the gentleman from Massachusetts ever since I have been in Congress, to try to raise these salaries—

Mr. ROGERS. And to give the young man without means a chance to enter this service and do good work for his country. [Applause.]

Mr. BLANTON. I will guarantee to-day that you can let every one of them resign and I can find new applications tomorrow from able men in Massachusetts alone to fill every place. Talk about not being able to get material to fill this service! Why, you can get it from one side of the Nation to the other.

The only argument that is made here this evening is that it is self-sustaining; that we are about to make it pay. Why, suppose the Post Office Department was to take in \$100,000,000 a year revenue more than it pays out, would the gentleman distribute that \$100,000,000 in increases of salary? Suppose our revenue service, as suggested by my distinguished colleague from Texas [Mr. BLACK], should take in one hundred times as much as it takes in now, would you distribute all that in increased salaries and expenses? Why, that is a ridiculous argument; there is nothing to it. I want to say that it pays every Member of Congress to watch these propositions. Why, one gentleman on that committee said that we had notice of this. Why, the notice I got through the press and elsewhere was that Congress to-day was to pass on the debt-funding proposition.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SEARS. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. GREENE of Massachusetts. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. GARRETT of Tennessee. Mr. Chairman, I just want to ask the gentleman from Massachusetts a question as to his intention with reference to proceeding with the bill. I understand the gentleman does not hope to conclude this bill this afternoon. I know he has been very busily engaged, and perhaps he does not realize how bad the weather is; and a great many Members are going to have to go some distance—it is a very bad season for illness, as the gentleman knows—and I suggest to the gentleman, as he does not hope to finish this evening, it would be a very nice thing if he would move that the committee rise.

Mr. PORTER. I have no objection.

The CHAIRMAN. The Chair suggests that a vote be had on the amendment offered by the gentleman from Texas.

Mr. BLANTON. Mr. Chairman, that is a pro forma amendment, and I ask permission to withdraw it.

There was no objection.

Mr. ROGERS. Mr. Chairman, I ask unanimous consent that all debate on this section and all amendments thereto be now closed.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent that all debate on this section be now terminated.

There was no objection.

Mr. PORTER. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. HICKS, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee having under consideration the bill (H. R. 13880) for the reorganization and improvement of the foreign service of the United States, and for other purposes, had come to no resolution thereon.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. BULWINKLE, for five days on account of official business; and

To Mr. RAKER, for to-day on account of official business.

ADJOURNMENT.

Mr. MONDELL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 55 minutes p. m.) the House adjourned until to-morrow, Wednesday, February 7, 1923, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

951. A communication from the President of the United States, transmitting a communication from the Secretary of the Navy submitting an estimate of appropriation in the sum of \$4,400.52 to pay claims which he has adjusted under the provisions of the act of December 28, 1922, and which require an appropriation for their payment (H. Doc. No. 550); to the Committee on Appropriations and ordered to be printed.

952. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the War Department for the fiscal year ending June 30, 1923, for survey of the Rio Grande for the protection from floods of the city of El Paso, Tex., and the lands embraced in the Rio Grande irrigation project, \$35,000 (H. Doc. No. 551); to the Committee on Appropriations and ordered to be printed.

953. A communication from the President of the United States, transmitting supplemental estimates of appropriations for the Department of Labor for the fiscal year ending June 30, 1923, amounting to \$120 (H. Doc. No. 552); to the Committee on Appropriations and ordered to be printed.

954. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of Canoe Creek, Henderson County, Ky., at its junction with the Ohio River, with a view to dredging and establishing a harbor of refuge (H. Doc. No. 553); to the Committee on Rivers and Harbors and ordered to be printed.

955. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of Petoskey Harbor, Mich.; to the Committee on Rivers and Harbors.

956. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of Mystic River, Mass.; to the Committee on Rivers and Harbors.

957. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of Murderers Creek, N. Y.; to the Committee on Rivers and Harbors.

958. A letter from the Secretary of War, transmitting with a letter from the Chief of Engineers, report on preliminary examination of Guilford Harbor, Conn.; to the Committee on Rivers and Harbors.

959. A letter from the Secretary of the Navy, transmitting further information regarding his letter of January 19, 1923, inclosing a draft of a bill "To increase the authorized cost of certain vessels now building for the Navy"; to the Committee on Naval Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. HERSEY: Committee on the Judiciary. S. 2703. An act to allow the printing and publishing of illustrations of foreign postage and revenue stamps from defaced plates; with amendments (Rept. No. 1547). Referred to the House Calendar.

Mr. HERSEY: Committee on the Judiciary. H. R. 14135. A bill to amend an act approved September 8, 1916, providing for holding sessions of the United States district court in the district of Maine, and for other purposes; without amendment (Rept. No. 1548). Referred to the House Calendar.

Mr. FIELDS: Committee on Military Affairs. S. J. Res. 48. A joint resolution authorizing retirement as warrant officers of certain Army field clerks and field clerks, Quartermaster Corps; without amendment (Rept. No. 1550). Referred to the Committee of the Whole House on the state of the Union.

Mr. BUTLER: Committee on Naval Affairs. S. 4137. An act to authorize the transfer of certain vessels from the Navy to the Coast Guard; with amendments (Rept. No. 1551). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. DARROW: A bill (H. R. 14221) for the benefit of commissioned officers of the Coast Guard who at the time of their respective retirements had 40 years of active service and held the rank of commander; to the Committee on Interstate and Foreign Commerce.

By Mr. WINSLOW: A bill (H. R. 14222) to amend the trading with the enemy act; to the Committee on Interstate and Foreign Commerce.

By Mr. FREAR: A bill (H. R. 14223) amending section 230 of the revenue act of 1921; to the Committee on Ways and Means.

By Mr. DALLINGER: A bill (H. R. 14224) to determine proceedings in contested elections of Members of the House of Representatives; to the Committee on Elections No. 1.

By Mr. CLARKE of New York: A bill (H. R. 14225) to provide through cooperation between the Federal Government, the States, and owners of timberlands for adequate protection against forest fires, for the reforestation of denuded lands, for the extension of national forests, and for other purposes, in order to promote forest renewal and the continuous production of timber on lands chiefly suitable therefor; to the Committee on Agriculture.

By Mr. VOLSTEAD: A bill (H. R. 14226) to amend an act entitled "An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes," approved September 7, 1916; to the Committee on the Judiciary.

By Mr. FREAR: A joint resolution (H. J. Res. 436) proposing an amendment to the Constitution of the United States; to the Committee on the Judiciary.

By Mr. SMITH of Idaho: A resolution (H. Res. 511) for the consideration of S. 4187; to the Committee on Rules.

By Mr. IRELAND: A resolution (H. Res. 512) authorizing the appointment of additional clerk, who shall be under supervision of the Clerk of the House; to the Committee on Accounts.

By the SPEAKER (by request): Memorial of the Legislature of the State of North Dakota asking Congress to transfer the tract of land with buildings thereon known as Fort Lincoln to the State of North Dakota, so that this property may be used as a State training school; to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. DEMPSEY: A bill (H. R. 14227) granting a pension to Elizabeth Cummings; to the Committee on Invalid Pensions.

By Mr. FENN: A bill (H. R. 14228) granting a pension to Henrietta Richmond; to the Committee on Invalid Pensions.

By Mr. KEARNS: A bill (H. R. 14229) granting a pension to David Bell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14230) granting a pension to Harry M. Davis; to the Committee on Pensions.

By Mr. REECE: A bill (H. R. 14231) granting a pension to Cordelia Kite; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14232) granting a pension to Maggie Wilson; to the Committee on Invalid Pensions.

By Mr. SNELL: A bill (H. R. 14233) granting an increase of pension to Sarah E. Coleman; to the Committee on Invalid Pensions.

By Mr. TAYLOR of Tennessee: A bill (H. R. 14234) granting a pension to Barbara L. Houston; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

7205. By Mr. ABERNETHY: Petition of Oasis Temple of Shriners, by resolution passed at the regular meeting at Charlotte, N. C., on December 7, 1922, indorsing and urging the passage of the Towne-Sterling bill providing for the creation of a department of education with the head of that department a member of the President's Cabinet and under and by which the cause of education will be materially advanced; to the Committee on Education.

7206. By Mr. CHALMERS: Petition protesting against the passage of House bill 9753, or any other Sunday bill, as, for example, House bill 4388 and Senate bill 1948; to the Committee on the District of Columbia.

7207. By Mr. FROTHINGHAM: Petition from 2,176 citizens of the fourteenth congressional district of Massachusetts, asking consideration and passage at this session of Congress of a United States ship subsidy bill; to the Committee on the Merchant Marine and Fisheries.

7208. By Mr. KAHN: Petition of the California Club, of San Francisco, Calif., urging that an antinarcotic week be proclaimed early in 1923 as a means of mobilizing all public-spirited bodies for the work of arousing the American people to the gravity of the drug menace; to the Committee on Interstate and Foreign Commerce.

7209. Also, petition of citizens of San Francisco, Calif., urging Congress to extend immediate aid to the people of the Ger-

man and Austrian Republics; to the Committee on Interstate and Foreign Commerce.

7210. Also, petition of the Council of Jewish Women, Section of San Francisco, urging that an antinarcotic week be proclaimed early in 1923 as a means of mobilizing all public-spirited bodies for the work of arousing the American people to the gravity of the drug menace; also urging an international conference on the narcotic problem, with a view to securing the limitation by treaty of the basic production of poisonous drugs which constitute a major menace to American life; to the Committee on Interstate and Foreign Commerce.

7211. Also, petition of the Woman's Christian Temperance Union of California, urging that an antinarcotic week be proclaimed early in 1923 as a means of mobilizing all public-spirited bodies for the work of arousing the American people to the gravity of the drug menace; and urging an international conference on the narcotic problem, with a view to securing the limitation by treaty of the basic production of poisonous drugs which constitute a major menace to American life; to the Committee on Interstate and Foreign Commerce.

7212. By Mr. KISSEL: Petition of Ward & Tully (Inc.), Brooklyn, N. Y., urging modification of the present immigration law; to the Committee on Immigration and Naturalization.

7213. By Mr. MEAD: Petition of members of Wurttemberger Schwaben Unterstutzungs Verein, Buffalo, N. Y., urging Congress to extend aid to the people in the famine areas of Germany and Austria; to the Committee on Foreign Affairs.

7214. By Mr. TINKHAM: Petition of the board of aldermen, Medford, Mass., favoring an embargo being placed on coal shipped from the United States to Canada; to the Committee on Interstate and Foreign Commerce.

7215. By Mr. YATES: Petition of J. T. Witt and 31 other residents of Macoupin County, Ill., urging a policy of protection toward the Federal farm loan act and opposing all measures which might destroy its intention; to the Committee on Banking and Currency.

SENATE.

WEDNESDAY, February 7, 1923.

(Legislative day of Monday, February 5, 1923.)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

NAMING A PRESIDING OFFICER.

The Secretary, George A. Sanderson, read the following communication:

WASHINGTON, D. C., February 7, 1923.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. GEORGE H. MOSES, a Senator from the State of New Hampshire, to perform the duties of the Chair this legislative day.

ALBERT B. CUMMINS,
President pro tempore.

Mr. MOSES thereupon took the chair as Presiding Officer.

CALL OF THE ROLL.

Mr. CURTIS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll. The reading clerk called the roll, and the following Senators answered to their names:

Ashurst	Fletcher	McKellar	Sheppard
Ball	Frelinghuysen	McKinley	Shields
Bayard	George	McNary	Shortridge
Borah	Gerry	Moses	Spencer
Brandegge	Glass	Nelson	Sterling
Brookhart	Gooding	New	Sutherland
Broussard	Harrison	Nicholson	Swanson
Calder	Heflin	Norbeck	Townsend
Cameron	Johnson	Norris	Underwood
Capper	Jones, Wash.	Oddie	Wadsworth
Caraway	Keyes	Overman	Walsh, Mass.
Colt	King	Page	Warren
Culberson	Ladd	Phipps	Watson
Curtis	Lodge	Poin Dexter	Willis.
Dial	McCormick	Pomerene	
Dillingham	McCumber	Reed, Pa.	

Mr. BROOKHART. I wish to announce that the senior Senator from Wisconsin [Mr. LA FOLLETTE] is absent on business of the Senate.

Mr. HARRISON. I wish to state that the Senator from Arkansas [Mr. ROBINSON], the Senator from Georgia [Mr. HARRIS], and the Senator from Louisiana [Mr. RANDELL] are absent on official business.

The PRESIDING OFFICER. Sixty-two Senators having answered to their names, a quorum is present.